



Iowa General Assembly
Daily Bills, Amendments and Study Bills
January 27, 2014

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House File 2060 - Introduced

HOUSE FILE 2060
BY HEARTSILL

A BILL FOR

1 An Act providing for the creation of a unified educational data
2 system task force.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5336YH (2) 85
kh/nh



Iowa General Assembly
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H.F. 2060

1 Section 1. UNIFIED EDUCATIONAL DATA SYSTEM TASK FORCE.

2 1. The department of education, in collaboration with the
3 office of the chief information officer and the area education
4 agencies, shall convene a unified educational data system task
5 force to develop and recommend a comprehensive approach to
6 data collection by the department. The task force shall at a
7 minimum do the following:

8 a. Study the costs and benefits of creating a user-friendly
9 uniform system that unifies data systems currently administered
10 by the department, including but not limited to the education
11 data warehouse, the student reporting in Iowa system, the
12 unique student identifier system, and the Iowa transcript
13 center. The study shall review the purpose and desired results
14 prompting the collection of certain data and shall focus on
15 improving efficiency, accuracy, and security of and access to
16 the data collected.

17 b. Study the costs and benefits of utilizing a single,
18 user-friendly, universal statewide student information system
19 by which school districts and accredited nonpublic schools can
20 submit necessary data to the department.

21 c. Identify measures by which the department may denote
22 for users the purpose and results in aggregate of the data
23 collected by the department.

24 d. Study the costs and means of developing and administering
25 a training program that provides school administrators with the
26 skills and experience necessary to use a unified educational
27 data system to manage and submit the necessary data as required
28 by the department.

29 e. Develop a formula to accurately, comprehensively, and
30 meticulously calculate data used to determine, at a minimum,
31 graduation rates, dropout rates, and enrollment in schools and
32 school districts.

33 2. The task force shall consist of education stakeholders
34 including but not limited to persons representing the
35 department, the office of the chief information officer,

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1 area education agencies, school districts which offer
2 prekindergarten through grade twelve, the boards of directors
3 of school districts, the authorities in charge of accredited
4 nonpublic schools, teachers, administrators, parents, and
5 postsecondary institutions.

6 3. The task force shall submit its findings and
7 recommendations in a report to the state board of education and
8 the general assembly by January 15, 2015.

9 EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill directs the department of education, in
13 collaboration with the office of the chief information
14 officer and the area education agencies, to convene a unified
15 educational data system task force to develop and recommend a
16 comprehensive approach to data collection by the department.

17 The task force shall study the costs and benefits of
18 creating a user-friendly uniform system that unifies data
19 systems currently administered by the department; review
20 the purpose and desired results prompting the collection of
21 certain data and focus on improving efficiency, accuracy, and
22 security of and access to the data collected; study the costs
23 and benefits of utilizing a single, user-friendly, universal
24 statewide student information system by which school districts
25 and accredited nonpublic schools can submit necessary data
26 to the department; identify measures to denote for users
27 the purpose and results in aggregate of the data collected
28 by the department; study the costs and means of developing
29 and administering a training program that provides school
30 administrators with the skills and experience necessary to use
31 a unified educational data system; and develop a formula to
32 determine, at a minimum, graduation rates, dropout rates, and
33 enrollment in schools and school districts.

34 The task force shall consist of education stakeholders
35 including but not limited to persons representing the

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1 department, the office of the chief information officer,
2 area education agencies, school districts which offer
3 prekindergarten through grade 12, the boards of directors of
4 school districts, the authorities in charge of accredited
5 nonpublic schools, teachers, administrators, parents, and
6 postsecondary institutions.
7 The task force shall submit its findings and recommendations
8 in a report to the state board of education and the general
9 assembly by January 15, 2015.



Iowa General Assembly
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House Study Bill 550 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to the determination of fair value for shares
2 of banks and bank holding companies in transactions
3 providing appraisal rights for dissenting shareholders.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5672YC (3) 85
rn/nh



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H.F. _____

1 Section 1. Section 490.1301, subsection 4, paragraph b,
2 Code 2014, is amended by striking the paragraph.

3 Sec. 2. Section 490.1330, subsection 6, Code 2014, is
4 amended by striking the subsection.

5 Sec. 3. Section 524.1406, subsection 3, Code 2014, is
6 amended by striking the subsection.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill repeals Code provisions that permit the use of
11 discounts for minority status and lack of marketability in
12 determining the fair value of shares of banks and bank holding
13 companies in transactions that provide appraisal rights for
14 dissenting shareholders.



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House Study Bill 551 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
COMMERCE/UTILITIES DIVISION
BILL)

A BILL FOR

1 An Act modifying provisions applicable to matters under the
2 regulatory authority of the utilities board of the utilities
3 division of the department of commerce.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5301XD (9) 85
rn/nh



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S.F. _____ H.F. _____

1 Section 1. Section 476.4, Code 2014, is amended to read as
2 follows:

3 **476.4 Tariffs filed.**

4 1. Every public utility shall file with the board tariffs
5 showing the rates and charges for its public utility services
6 and the rules and regulations under which such services were
7 furnished, on April 1, 1963, which rates and charges shall be
8 subject to investigation by the board as provided in section
9 476.3, and upon such investigation the burden of establishing
10 the reasonableness of such rates and charges shall be upon the
11 public utility filing the same. These filings shall be made
12 under such rules as the board may prescribe within such time
13 and in such form as the board may designate. In prescribing
14 rules and regulations with respect to the form of tariffs,
15 the board shall, in the case of public utilities subject to
16 regulation by any federal agency, give due regard to any
17 corresponding rules and regulations of such federal agency, to
18 the end that unnecessary duplication of effort and expense may
19 be avoided so far as reasonably possible. Each public utility
20 shall keep copies of its tariffs open to public inspection
21 under such rules as the board may prescribe.

22 2. A telephone utility is required to file tariffs as
23 provided in this section only for such wholesale services as
24 may be specified by the board.

25 3. Every rate, charge, rule, and regulation contained in
26 any filing made with the commission on or prior to July 4,
27 1963, shall be effective as of such date, subject, however, to
28 investigation as herein provided. If any such filing is made
29 prior to the time the commission prescribes rules as aforesaid,
30 and if such filing does not comply as to form or substance with
31 such rules, then the public utility which filed the same shall
32 within a reasonable time after the adoption of such rules make
33 a new filing or filings complying with such rules, which new
34 filing or filings shall be deemed effective as of July 4, 1963.

35 Sec. 2. Section 476.29, subsections 3 and 6, Code 2014, are

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1 amended to read as follows:

2 3. A certificate is transferable, subject to approval of
3 the board pursuant to section 476.20, subsection 1, ~~and for~~
4 ~~purposes of a rate-regulated local exchange utility shall be~~
5 ~~treated by the board in the same manner as a reorganization~~
6 ~~pursuant to sections 476.76 and 476.77.~~

7 6. The certificate ~~and tariffs~~ approved by the board are
8 is the only authority required for the utility to furnish
9 land-line local telephone service. However, to the extent
10 not inconsistent with this section, the power to regulate the
11 conditions required and manner of use of the highways, streets,
12 rights-of-way, and public grounds remains in the appropriate
13 public authority.

14 Sec. 3. Section 476.72, subsections 4 and 5, Code 2014, are
15 amended to read as follows:

16 4. "*Public utility*" ~~includes only~~ means a gas or electric
17 rate-regulated public utilities ~~and rate-regulated telephone~~
18 ~~utilities providing local exchange telecommunication service~~
19 utility.

20 5. "*Utility business*" means the generation or transmission
21 of electricity or furnishing of gas or furnishing electricity
22 ~~or furnishing rate-regulated communications services~~ to the
23 public for compensation.

24 Sec. 4. Section 476.78, Code 2014, is amended to read as
25 follows:

26 **476.78 Cross-subsidization prohibited.**

27 A ~~rate-regulated gas or electric~~ public utility shall
28 not directly or indirectly include any costs or expenses
29 attributable to providing nonutility service in regulated
30 rates or charges. Except for contracts existing as of July
31 1, 1996, a ~~rate-regulated gas or electric~~ public utility or
32 its affiliates shall not use vehicles, service tools and
33 instruments, or employees, the costs, salaries, or benefits
34 of which are recoverable in the regulated rates for electric
35 service or gas service to install, service, or repair

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1 residential or commercial gas or electric heating, ventilating,
2 or air conditioning systems, or interior lighting systems
3 and fixtures; or to sell at retail heating, ventilating,
4 air conditioning, or interior lighting equipment. For the
5 purpose of this section, "*commercial*" means a place of business
6 primarily used for the storage or sale, at wholesale or retail,
7 of goods, wares, services, or merchandise. Nothing in this
8 section shall be construed to prohibit a ~~rate-regulated gas~~
9 ~~or electric~~ public utility from using its utility vehicles,
10 service tools and instruments, and employees to market systems,
11 services, and equipment, to light pilots, or to eliminate a
12 customer emergency or threat to public safety.

13 Sec. 5. Section 476.79, Code 2014, is amended to read as
14 follows:

15 **476.79 Provision of nonutility service.**

16 1. A ~~rate-regulated gas or electric~~ public utility
17 providing any nonutility service to its customers shall keep
18 and render to the board separate records of the nonutility
19 service. The board may provide for the examination and
20 inspection of the books, accounts, papers, and records of
21 the nonutility service, as may be necessary, to enforce any
22 provisions of this chapter.

23 2. The board shall adopt rules which specify the manner and
24 form of the accounts relating to providing nonutility services
25 which the ~~rate-regulated gas or electric~~ public utility shall
26 maintain.

27 Sec. 6. Section 476.80, unnumbered paragraph 1, Code 2014,
28 is amended to read as follows:

29 A ~~rate-regulated gas or electric~~ public utility which
30 engages in a systematic marketing effort as defined by the
31 board, other than on an incidental or casual basis, to promote
32 the availability of nonutility service from the public
33 utility shall make available at reasonable compensation on a
34 nondiscriminatory basis to all persons engaged primarily in
35 providing the same competitive nonutility services in that area

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1 all of the following services to the same extent utilized by
2 the public utility in connection with its nonutility services:

3 Sec. 7. Section 476.81, Code 2014, is amended to read as
4 follows:

5 **476.81 Audit required.**

6 The board may periodically retain a nationally or regionally
7 recognized independent auditing firm to conduct an audit of
8 the nonutility services provided by a ~~rate-regulated gas or~~
9 ~~electric~~ public utility subject to the provisions of section
10 476.80. A nonutility service audit shall not be conducted more
11 frequently than every three years, unless ordered by the board
12 for good cause. The cost of the audit shall be paid by the
13 public utility to the independent auditing firm and shall be
14 included in its regulated rates and charges, unless otherwise
15 ordered by the board for good cause after providing the public
16 utility the opportunity for a hearing on the board's decision.

17 Sec. 8. Section 476.83, Code 2014, is amended to read as
18 follows:

19 **476.83 Complaints.**

20 Any person may file a written complaint with the board
21 requesting that the board determine compliance by a
22 ~~rate-regulated gas or electric~~ public utility with the
23 provisions of section 476.78, 476.79, or 476.80, or any validly
24 adopted rules to implement these sections. Upon the filing
25 of a complaint, the board may promptly initiate a formal
26 complaint proceeding and give notice of the proceeding and the
27 opportunity for hearing. The formal complaint proceeding may
28 be initiated at any time by the board on its own motion. The
29 board shall render a decision in the proceeding within ninety
30 days after the date the written complaint was filed, unless
31 additional time is requested by the complainant.

32 Sec. 9. Section 476.101, subsections 1, 8, and 10, Code
33 2014, are amended to read as follows:

34 1. A certificate of public convenience and necessity to
35 provide local telephone service shall not be interpreted as



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1 conveying a monopoly, exclusive privilege, or franchise. A
2 competitive local exchange service provider shall not be
3 subject to the requirements of this chapter, except that a
4 competitive local exchange service provider shall obtain a
5 certificate of public convenience and necessity pursuant
6 to section 476.29, ~~file tariffs~~, notify affected customers
7 prior to any rate increase, file reports, information, and
8 pay assessments pursuant to section 476.2, subsection 4, and
9 sections 476.9, 476.10, 476.16, 476.102, and 477C.7, and shall
10 be subject to the board's authority with respect to adequacy
11 of service, interconnection, discontinuation of service, civil
12 penalties, and complaints. If, after notice and opportunity
13 for hearing, the board determines that a competitive local
14 exchange service provider possesses market power in its local
15 exchange market or markets, the board may apply such other
16 provisions of this chapter to a competitive local exchange
17 service provider as it deems appropriate.

18 8. Any person may file a written complaint with the
19 board requesting the board to determine compliance by a
20 local exchange carrier with the provisions of sections
21 476.96 through 476.100, 476.102, and this section, or any
22 board rules implementing those sections. Upon the filing
23 of such complaint, the board may promptly initiate a formal
24 complaint proceeding and give notice of the proceeding and the
25 opportunity for hearing. The formal complaint proceeding may
26 be initiated at any time by the board on its own motion. The
27 board shall render a decision in the proceeding within ninety
28 days after the date the written complaint was filed. The
29 board, for good cause shown, may extend the deadline for acting
30 upon the complaint for an additional period not to exceed
31 thirty days.

32 10. In a proceeding associated with the granting of a
33 certificate under section 476.29, approving maps ~~and tariffs~~
34 for competitive local exchange providers provided for in
35 this section, or in resolving a complaint filed pursuant



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1 to subsection 8 and proceedings under 47 U.S.C. § 251 –
2 254, the board shall allocate the costs and expenses of the
3 proceedings to persons identified as parties in the proceeding
4 who are engaged in or who seek to engage in providing
5 telecommunications services or other persons identified as
6 participants in the proceeding. The funds received for the
7 costs and the expenses shall be remitted to the treasurer of
8 state for deposit in the department of commerce revolving fund
9 created in section 546.12 as provided in section 476.10.

10 Sec. 10. Section 477.9A, Code 2014, is amended to read as
11 follows:

12 **477.9A Deregulated services.**

13 1. A telegraph or telephone company whose services are
14 deregulated by the board under section 476.1D may use public
15 notice as a means of conveying terms and conditions to
16 customers where identification of those customers is infeasible
17 or impractical. Public notice may also be used to convey
18 changes in terms and conditions, other than price increases or
19 limitations of liability, to all other customers, but only if
20 those customers were put on notice that this means would be
21 used to convey subsequent changes. Notwithstanding section
22 477.7, when services are deregulated by the board under section
23 476.1D, a telegraph or telephone company, in any contract,
24 agreement, or by means of public notice, may reasonably limit
25 its liability under section 477.7 in the course of providing
26 the deregulated communications services to its customers,
27 except for acts of willful misconduct. However, this section
28 does not allow a greater limitation on liability than exists in
29 any contract or approved tariff as of the effective date of the
30 deregulation of the services.

31 2. A telephone company whose services are subject to
32 regulation by the board with respect to terms and conditions,
33 but not rates, shall give notice of rate changes to customers
34 pursuant to rules adopted by the board. Such rules shall
35 include, as appropriate, options for notice by publication,



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1 by electronic mail, and by such other means as the board
2 determines to be reasonable.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 This bill modifies provisions applicable to matters under
7 the regulatory authority of the Iowa utilities board pertaining
8 to the furnishing of telecommunications services.

9 The bill provides that tariff requirements applicable to
10 public utilities showing the rates and charges for their
11 services shall, with regard to telephone utilities, apply
12 only for wholesale services as may be specified by the board.
13 Several references to tariffs applying to nonwholesale services
14 are deleted consistent with this new provision. The bill also
15 deletes references to rate-regulated local exchange utilities
16 with regard to the transferability of a certificate of public
17 convenience and necessity, and with regard to public utility
18 affiliate disclosure, and makes conforming changes consistent
19 with this modification.

20 The bill provides that the current 90-day time frame for
21 board action regarding local exchange carrier compliance
22 complaint decisions may be extended by the board for good cause
23 shown for an additional period not to exceed 30 days.

24 Finally, the bill provides that a telephone company whose
25 services are subject to board regulation with respect to terms
26 and conditions, but not rates, shall give notice of rate
27 changes to customers pursuant to specified rules adopted by the
28 board.



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House Study Bill 552 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

1 An Act relating to the supervision of orthotist or prosthetist
2 assistants.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5648HC (3) 85
ad/nh



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H.F. _____

1 Section 1. Section 148F.6, subsection 1, paragraph a, Code
2 2014, is amended to read as follows:

3 a. A person shall not work as an assistant to an orthotist
4 or prosthetist or provide patient care services or fabrication
5 of orthoses or prostheses, unless the work is performed
6 under the supervision of a licensed orthotist, ~~or~~ licensed
7 prosthetist, or other person licensed or certified in a
8 health profession described in section 147.1, subsection 6,
9 approved by the board to provide supervision of an orthotist or
10 prosthetist assistant.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 The bill provides that an orthotist or prosthetist assistant
15 may work as an assistant or provide patient care services or
16 fabrication of orthoses or prostheses under the supervision of
17 a licensed or certified health professional in a profession
18 approved by the board of podiatry. Currently, an assistant may
19 only work under the supervision of an orthotist or prosthetist.



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House Study Bill 553 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to standards for educational and instructional
2 models, programs, and supplementary weighting for students
3 identified as limited English proficient.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5259XD (3) 85
kh/rj



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1 Section 1. Section 256.7, subsection 31, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. Adopt rules, in collaboration with
4 the Iowa reading research center established pursuant to
5 section 256.9, subsection 53, to establish standards for
6 the identification, selection, and use of research-based
7 educational and instructional models for students identified as
8 limited English proficient, and standards for the professional
9 development of the instructional staff responsible for
10 implementation of those models.

11 Sec. 2. Section 256.9, Code 2014, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 65. Establish, subject to an appropriation
14 of funds by the general assembly, an English language literacy
15 for all grant program which shall be made available to all
16 school districts. Priority in issuing grants shall be given
17 to school districts with the highest percentage of students
18 identified as limited English proficient. A grant may be
19 awarded for a period of up to three years. The department
20 and each school district receiving a grant shall enter into
21 a performance agreement, which shall be renewed annually,
22 that identifies clear literacy achievement goals for limited
23 English proficient students enrolled in the school district
24 and includes an accountability system to measure student
25 performance and evaluate program effectiveness to ensure that
26 program goals are met. School districts may expend grant
27 moneys for professional development for professional staff
28 providing instructional services to limited English proficient
29 students.

30 Sec. 3. Section 280.4, subsection 3, paragraph b, Code 2014,
31 is amended to read as follows:

32 b. For students first determined to be limited English
33 proficient for a budget year beginning on or after July 1,
34 2010, the additional weighting provided under paragraph "a"
35 shall be included in the weighted enrollment of the school

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1 district of residence for a cumulative period of time not
2 exceeding five years beginning with the budget year for
3 which the student was first determined to be limited English
4 proficient. The five years of eligibility for the additional
5 weighting need not be consecutive and a student's eligibility
6 for the additional weighting is transferable to another
7 district of residence.

8

EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 This bill relates to standards for educational and
12 instructional models, programs, and supplementary weighting for
13 students identified as limited English proficient.

14 The state board of education is directed to adopt rules,
15 in collaboration with the Iowa reading research center, to
16 establish standards for the identification, selection, and
17 use of research-based educational and instructional models
18 for students identified as limited English proficient, and
19 standards for the professional development of the instructional
20 staff responsible for implementation of those models.

21 The director of the department of education is directed
22 to establish, subject to an appropriation of funds by the
23 general assembly, an English language literacy for all grant
24 program for school districts. Priority must be given to school
25 districts with the highest percentage of limited English
26 proficient students. A grant may be awarded for up to three
27 years. The department and each school district receiving a
28 grant must enter into a performance agreement, which must be
29 renewed annually, that identifies clear literacy achievement
30 goals and includes an accountability system. School districts
31 may expend grant moneys for professional development for
32 professional staff providing instructional services to limited
33 English proficient students.

34 The bill permits some flexibility for the amount of time a
35 student may be eligible for additional weighting as a limited

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1 English proficient student by providing that the five-year
2 eligibility period is cumulative, and need not be consecutive,
3 and is transferable to another district of residence.



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House Study Bill 554 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF
EDUCATIONAL EXAMINERS BILL)

A BILL FOR

1 An Act relating to school employees and the duties and
2 responsibilities of the board of educational examiners, and
3 providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5199DP (12) 85
kh/rj



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1 Section 1. Section 272.1, Code 2014, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. As used in this chapter, unless
4 the context otherwise requires:

5 Sec. 2. Section 272.1, subsections 3 and 5, Code 2014, are
6 amended to read as follows:

7 3. "*Certificate*" means limited recognition to perform
8 instruction and instruction-related duties in school, other
9 than those duties for which practitioners are licensed. A
10 ~~certificate is nonexclusive recognition and does not confer the~~
11 ~~exclusive authority of a license.~~

12 5. "*License*" means the authority that is given to allow a
13 person to legally serve as a practitioner, education provider,
14 or school employee, or as a school, an institution, or a course
15 of study to legally offer professional development programs,
16 other than those programs offered by practitioner preparation
17 schools, institutions, courses of study, or area education
18 agencies. A license is the exclusive authority to perform
19 these functions. "*License*" includes a certificate, statement of
20 professional recognition, or authorization issued under this
21 chapter.

22 Sec. 3. Section 272.1, Code 2014, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 12A. "*School employee*" means an employee
25 of a school.

26 Sec. 4. Section 272.2, subsection 1, Code 2014, is amended
27 to read as follows:

28 1. a. License practitioners, education providers, and
29 school employees, which includes the authority to establish
30 criteria for the licenses; establish issuance and renewal
31 requirements; create application and renewal forms; create
32 licenses that authorize different instructional functions
33 or specialties; develop a code of professional rights and
34 responsibilities, practices, and ethics, which shall, among
35 other things, address the failure of a practitioner to fulfill



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1 contractual obligations under section 279.13; and develop any
2 other classifications, distinctions, and procedures which may
3 be necessary to exercise licensing duties. In addressing the
4 failure of a practitioner to fulfill contractual obligations,
5 the board shall consider factors beyond the practitioner's
6 control.

7 **b.** Provide annually to any person who holds a license,
8 ~~certificate, authorization, or statement of recognition~~
9 issued by the board, training relating to the knowledge and
10 understanding of the board's code of professional conduct and
11 ethics. The board shall develop a curriculum that addresses
12 the code of professional conduct and ethics and shall annually
13 provide regional training opportunities throughout the state.

14 Sec. 5. Section 272.2, subsection 4, Code 2014, is amended
15 to read as follows:

16 4. Enforce rules adopted by the board through revocation
17 or suspension of a license, or by other disciplinary action
18 against a ~~practitioner~~ person or professional development
19 program licensed by the board of educational examiners. The
20 board shall designate who may or shall initiate a licensee
21 disciplinary investigation and a licensee disciplinary
22 proceeding, and who shall prosecute a disciplinary proceeding
23 and under what conditions, and shall state the procedures for
24 review by the board of findings of fact if a majority of the
25 board does not hear the disciplinary proceeding. However, in
26 a case alleging failure of a ~~practitioner~~ person to fulfill
27 contractual obligations, the person who files a complaint with
28 the board, or the complainant's designee, shall represent the
29 complainant in a disciplinary hearing conducted in accordance
30 with this chapter.

31 Sec. 6. Section 272.2, subsection 14, paragraphs a and d,
32 Code 2014, are amended to read as follows:

33 **a.** The board may deny a license to or revoke the license
34 of a person upon the board's finding by a preponderance of
35 evidence that either the person has been convicted of a crime

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1 or that there has been a founded report of child abuse against
2 the person. Rules adopted in accordance with this paragraph
3 shall provide that in determining whether a person should be
4 denied a license or that a ~~practitioner's~~ person's license
5 should be revoked, the board shall consider the nature and
6 seriousness of the founded abuse or crime in relation to
7 the position sought, the time elapsed since the crime was
8 committed, the degree of rehabilitation which has taken place
9 since the incidence of founded abuse or the commission of
10 the crime, the likelihood that the person will commit the
11 same abuse or crime again, and the number of founded abuses
12 committed by or criminal convictions of the person involved.

13 *d.* An applicant for a license ~~or certificate~~ under this
14 chapter shall demonstrate that the requirements of the license
15 ~~or certificate~~ have been met and the burden of proof shall be
16 on the applicant.

17 Sec. 7. Section 272.2, subsection 17, Code 2014, is amended
18 to read as follows:

19 17. Adopt rules to require that a background investigation
20 be conducted by the division of criminal investigation of the
21 department of public safety on ~~all initial~~ applicants for
22 ~~license~~ a license or renewal of a license. The board shall
23 also require all initial applicants to submit a completed
24 fingerprint packet and shall use the packet to facilitate a
25 national criminal history background check. The board shall
26 have access to, and shall review the sex offender registry
27 information under section 692A.121 available to the general
28 public, the central registry for child abuse information
29 established under chapter 235A, and the dependent adult abuse
30 records maintained under chapter 235B for information regarding
31 applicants for a license or renewal of a license. An applicant
32 for a license or renewal of a license issued pursuant to
33 section 272.31, subsection 3A, is exempt from rules adopted
34 pursuant to this subsection.

35 Sec. 8. Section 272.15, subsection 1, paragraph a,

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1 subparagraph (1), unnumbered paragraph 1, Code 2014, is amended
2 to read as follows:

3 The board of directors of a school district or area education
4 agency, the superintendent of a school district, the chief
5 administrator of an area education agency, and the authorities
6 in charge of an accredited nonpublic school shall report to
7 the board any instance of disciplinary action taken against
8 a ~~licensed~~ school employee by the board of directors of the
9 school district or area education agency, the superintendent
10 of the school district, the chief administrator of the
11 area education agency, or the authorities in charge of the
12 accredited nonpublic school for conduct constituting any of the
13 following:

14 Sec. 9. Section 272.15, subsection 1, paragraph a,
15 subparagraph (2), Code 2014, is amended to read as follows:

16 (2) The board of directors of a school district or area
17 education agency, the superintendent of a school district,
18 the chief administrator of an area education agency, and
19 the authorities in charge of an accredited nonpublic school
20 shall report to the board the nonrenewal or termination, for
21 reasons of alleged or actual misconduct, of a person's contract
22 executed under sections 279.12, 279.13, 279.15 through 279.21,
23 279.23, and 279.24, and the resignation of a person who holds
24 a ~~license, certificate, or authorization~~ issued by the board,
25 as a result of or following an incident or allegation of
26 misconduct that, if proven, would constitute a violation of
27 the rules adopted by the board to implement section 272.2,
28 subsection 14, paragraph "b", subparagraph (1); soliciting,
29 encouraging, or consummating a romantic or otherwise
30 inappropriate relationship with a student; falsifying student
31 grades, test scores, or other official information or material;
32 or converting public property or funds to the personal use of
33 the school employee, when the board or reporting official has a
34 good faith belief that the incident occurred or the allegation
35 is true. The board may deny a license or revoke the license

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1 of an administrator if the board finds by a preponderance
2 of the evidence that the administrator failed to report the
3 termination or resignation of a school employee holding a
4 ~~license, certificate, statement of professional recognition,~~
5 ~~or coaching authorization,~~ for reasons of alleged or actual
6 misconduct, as defined by this section.

7 Sec. 10. Section 272.31, Code 2014, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 3A. The board shall issue a school employee
10 authorization to a school employee who is not otherwise
11 issued a license, certificate, or statement of professional
12 recognition under this chapter, or an authorization under
13 subsection 1, 2, or 3.

14 Sec. 11. Section 709.15, subsection 1, paragraph f, Code
15 2014, is amended to read as follows:

16 *f.* *"School employee"* means ~~a practitioner as defined in~~
17 ~~section 272.1~~ an individual issued a license, certificate,
18 statement of professional recognition, or authorization under
19 chapter 272.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill requires the board of educational examiners
24 to issue an authorization to school employees who are not
25 currently under the purview of the board, and provides that
26 the board's code of professional rights and responsibilities,
27 practices, and ethics applies to any person who holds
28 a license, certificate, authorization, or statement of
29 professional recognition issued by the board. The board will
30 be required to provide such employees with training relating to
31 the board's code.

32 The bill amends the definition of "license" by providing
33 that the definition means the authority given to allow a person
34 to legally serve as a practitioner, education provider, or
35 school employee, and further adds that "license" includes

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1 a certificate, statement of professional recognition, or
2 authorization issued under Code chapter 272.

3 The bill defines "school employee" to mean any employee of a
4 school district, accredited nonpublic school, or area education
5 agency. The bill makes corresponding changes relating to the
6 adoption of the definition throughout the Code chapter.

7 The bill also requires the board to adopt rules to require
8 a background investigation by the division of criminal
9 investigation of the department of public safety on any
10 applicant for a license and any applicant seeking to renew a
11 license. Current law requires the background check only on
12 initial applicants for licensure. The bill exempts from such
13 rules applicants for a school employee authorization or renewal
14 of that authorization.

15 The bill also broadens Code language establishing reporting
16 and complaint requirements relating to disciplinary actions,
17 and reports of nonrenewal of contract, or termination or
18 resignation of an employee for reasons of alleged or actual
19 misconduct, by school districts, schools, and area education
20 agencies and their administrators, to cover all school
21 employees, not just licensed employees or those employees
22 currently holding certificates or authorizations.

23 The bill also amends the definition of "school employee"
24 used for purposes of the Code provision that establishes
25 criminal penalties for sexual exploitation by a school
26 employee. The bill broadens the definition to include not just
27 a practitioner but any individual to whom the board issues a
28 license, certificate, statement of professional recognition,
29 or authorization. This broadening of the offense of sexual
30 exploitation results in making school employees subject to the
31 sex offender registry, but does not classify the offense as a
32 forcible felony. Under the bill, a school employee who commits
33 sexual exploitation in violation of Code section 709.15(5)
34 commits either an aggravated misdemeanor, which is punishable
35 by confinement for no more than two years and a fine of at least

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1 \$625 but not more than \$6,250; or a class "D" felony, which is
2 punishable by confinement for no more than five years and a
3 fine of at least \$750 but not more than \$7,500.



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House Study Bill 555 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to professional development services for
2 elementary teachers to improve students' literacy skills.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5219XD (3) 85
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1 Section 1. Section 279.68, subsection 4, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. c. The department of education shall
4 collaborate with the area education agencies and the Iowa
5 reading research center established pursuant to section 256.9,
6 subsection 53, to develop and offer to school districts, at no
7 cost, professional development services to enhance the skills
8 of elementary teachers in the use of evidence-based strategies
9 to improve the literacy skills of all students. From any
10 moneys appropriated to the department of education for purposes
11 of paragraph "b", the department may use a reasonable amount
12 to cover the administrative costs of developing and deploying
13 these professional development services.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill directs the department of education to collaborate
18 with the area education agencies and the Iowa reading research
19 center, which the director of the department was required to
20 establish in legislation enacted in 2012, to develop and offer
21 to school districts, at no cost, professional development
22 services to enhance the skills of elementary teachers in the
23 use of evidence-based strategies to improve the literacy skills
24 of all students. The bill permits the department to use,
25 from any moneys appropriated to the department and allocated
26 to school districts to provide professional development
27 services to enhance the skills of elementary teachers to
28 respond to children's reading needs, a reasonable amount to
29 cover the administrative costs of developing and deploying the
30 professional development services.



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House Study Bill 556 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act providing for the establishment of an Iowa middle school
2 extended learning time pilot project grant program.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5296XD (6) 85
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1 Section 1. **NEW SECTION. 256.34 Middle school extended**
2 **learning time pilot project grant program.**

3 1. Subject to an appropriation by the general assembly for
4 purposes of this section, the department shall establish a
5 pilot project grant program to provide funding to one or more
6 school districts individually or working collaboratively for
7 planning and implementing extended learning time for middle
8 school students in the form of longer school days or a longer
9 school year.

10 2. The department shall develop an application and
11 evaluation process for approval of pilot project grant
12 applications submitted by school districts. In evaluating
13 grant applications, the department shall consider all of the
14 following:

15 a. The percentage of eighth grade students in the school
16 district in a designated middle school building or in a
17 specific student population within such a building who have not
18 demonstrated proficiency in reading.

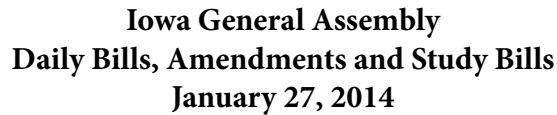
19 b. Evidence that the school district has included
20 community-based organizations in the submission of the
21 application.

22 c. The school district's proposed comprehensive
23 restructuring of the school day or year to maximize the use of
24 extra time for learning by middle school students, including a
25 mix of additional time spent on core academics and enrichment
26 opportunities.

27 d. Whether the school district's plan for teacher
28 collaboration and professional development of professional
29 staff supports success of the extended learning time pilot
30 project.

31 3. A school district awarded an extended learning time pilot
32 project grant shall do all of the following:

33 a. Add up to three hundred hours of additional instruction
34 or learning activities annually for all students in a
35 designated middle school building or in a specific student



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1 pilot project grant must add up to 300 hours of additional
2 instruction or learning activities annually for all students in
3 a designated middle school building or in a specific student
4 population within such a building; and enter into an annual
5 performance agreement with the department that establishes
6 clear academic achievement goals, developed collaboratively
7 with district professional staff, for each designated building.
8 Grants shall be awarded for a period of three years, subject
9 annually to a successful review of program performance by the
10 department. School districts may collaborate with one another
11 to submit a joint grant application.



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House Study Bill 557 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED COLLEGE STUDENT
AID COMMISSION BILL)

A BILL FOR

1 An Act relating to programs and accounts administered by the
2 college student aid commission.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5165XD (5) 85
kh/rj



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1 Section 1. Section 8A.504, subsection 1, paragraph c,
2 subparagraph (2), Code 2014, is amended to read as follows:

3 (2) An amount that is due because of a default on a
4 ~~guaranteed student or parental~~ loan under chapter 261.

5 Sec. 2. Section 8A.504, subsection 4, Code 2014, is amended
6 to read as follows:

7 4. The director shall have the authority to enter into
8 reciprocal agreements with the departments of revenue of other
9 states that have enacted legislation that is substantially
10 equivalent to the setoff procedure provided in this section
11 for the recovery of an amount due because of a default on a
12 ~~guaranteed student or parental~~ loan under chapter 261. A
13 reciprocal agreement shall also be approved by the college
14 student aid commission. The agreement shall authorize the
15 department to provide by rule for the setoff of state income
16 tax refunds or rebates of defaulters from states with which
17 Iowa has a reciprocal agreement and to provide for sending
18 lists of names of Iowa defaulters to the states with which Iowa
19 has a reciprocal agreement for setoff of that state's income
20 tax refunds.

21 Sec. 3. Section 261.9, unnumbered paragraph 1, Code 2014,
22 is amended to read as follows:

23 When used in this ~~division~~ part, unless the context
24 otherwise requires:

25 Sec. 4. Section 261.37, subsection 7, Code 2014, is amended
26 to read as follows:

27 7. To establish an effective system for the collection
28 of delinquent loans, including the adoption of an agreement
29 with the department of administrative services to set off
30 against a defaulter's income tax refund or rebate the amount
31 that is due because of a default on a ~~guaranteed or parental~~
32 loan made under this division. The commission shall adopt
33 rules under chapter 17A necessary to assist the department of
34 administrative services in the implementation of the student
35 loan setoff program as established under section 8A.504.

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1 The commission shall apply administrative wage garnishment
2 procedures authorized under the federal Higher Education Act of
3 1965, as amended and codified in 20 U.S.C. § 1071 et seq., for
4 all delinquent loans, including loans authorized under section
5 261.38, when a defaulter who is financially capable of paying
6 fails to voluntarily enter into a reasonable payment agreement.
7 In no case shall the commission garnish more than the amount
8 authorized by federal law for all loans being collected by the
9 commission, including those authorized under section 261.38.

10 Sec. 5. Section 261.38, subsections 1, 3, and 4, Code 2014,
11 are amended to read as follows:

12 1. The commission shall establish ~~a loan reserve account~~
13 ~~and~~ an agency operating account as authorized by the federal
14 Higher Education Act of 1965. The commission shall credit to
15 ~~these accounts~~ the agency operating account all moneys provided
16 for the state student loan program by the United States, the
17 state of Iowa, or any of their agencies, departments, or
18 instrumentalities, as well as any funds accruing to the program
19 which are not required for current administrative expenses.
20 The commission may expend moneys in the ~~loan reserve and~~ agency
21 ~~operating accounts~~ account as authorized by the federal Higher
22 Education Act of 1965.

23 3. Notwithstanding section 8.33, funds on deposit in the
24 ~~loan reserve and~~ agency operating accounts account shall not
25 revert to the state general fund at the close of any fiscal
26 year.

27 4. The treasurer of state shall invest any funds, ~~including~~
28 ~~those in the loan reserve and~~ agency operating accounts
29 account, and, notwithstanding section 12C.7, the interest
30 income earned shall be credited back to the ~~appropriate~~ agency
31 operating account.

32 Sec. 6. Section 261.38, subsection 2, Code 2014, is amended
33 by striking the subsection.

34 Sec. 7. REPEAL. Sections 261.17A, 261.22, 261.39, 261.41,
35 261.44, 261.48, 261.54, 261.81A, and 261.82, Code 2013, are

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1 repealed.

2 Sec. 8. CODE EDITOR DIRECTIVES.

3 1. The Code editor shall do all of the following:

4 a. Create three new parts in chapter 261 as follows:

5 (1) Part 1 shall be entitled "Iowa Tuition Grants" and shall
6 include sections 261.9 through 261.16.

7 (2) Part 2 shall be entitled "Vocational-Technical Tuition
8 Grants" and shall include section 261.17.

9 (3) Part 3 shall be entitled "Administration" and shall
10 include sections 261.20 and 261.25.

11 b. (1) Transfer and renumber sections 261.18, 261.19,
12 261.23, and 261.24 as follows:

13 (a) Section 261.18 as section 261.61.

14 (b) Section 261.19 as section 261.115.

15 (c) Section 261.23 as section 261.116.

16 (d) Section 261.24 as section 261.62.

17 (2) Correct internal references as necessary.

18 2. The Code editor may renumber sections within division
19 II of chapter 261 and shall correct internal references as
20 necessary.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill makes changes to Code chapter 261 in response to
25 recent changes in the federal Higher Education Act of 1965,
26 as amended. The bill eliminates references to guaranteed
27 student or parental loans and to the loan reserve account, and
28 repeals related Code provisions. The bill also repeals Code
29 sections relating to the Iowa hope loan program, accelerated
30 career education grant program, guaranteed loan payment
31 program, minority teacher loan payments, repayment of science
32 and mathematics loans, the Iowa heritage corps, and other
33 obsolete Code sections, and directs the Code editor to transfer
34 Code sections 261.18, 261.19, 261.23, and 261.24 to new Code
35 sections within the Code chapter to improve readability.

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House Study Bill 558 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to incentives for whole grade sharing and
2 reorganization or dissolution by school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 257.3, subsection 2, paragraph d, Code
2 2014, is amended to read as follows:

3 d. For purposes of this section, a reorganized school
4 district is one which absorbs at least thirty percent of the
5 enrollment of the school district affected by a reorganization
6 or dissolved during a dissolution and in which action to bring
7 about a reorganization or dissolution is initiated by a vote
8 of the board of directors or jointly by the affected boards of
9 directors to take effect on or after July 1, ~~2007~~ 2015, and on
10 or before July 1, ~~2014~~ 2019. Each district which initiated,
11 by a vote of the board of directors or jointly by the affected
12 boards, action to bring about a reorganization or dissolution
13 to take effect on or after July 1, ~~2007~~ 2015, and on or before
14 July 1, ~~2014~~ 2019, shall certify the date and the nature of
15 the action taken to the department of education by January 1
16 of the year in which the reorganization or dissolution takes
17 effect. ~~For a reorganization or dissolution that took effect~~
18 ~~on or after July 1, 2002, and on or before July 1, 2006, the~~
19 ~~reorganized school district shall continue to receive the~~
20 ~~benefits of paragraphs "a" and "b" of this subsection for the~~
21 ~~time specified in those paragraphs.~~

22 Sec. 2. Section 257.11, subsection 2, paragraph c, Code
23 2014, is amended to read as follows:

24 c. Pupils attending class for all or a substantial portion
25 of a school day pursuant to a whole grade sharing agreement
26 executed under sections 282.10 through 282.12 shall be eligible
27 for supplementary weighting pursuant to this subsection, and
28 the amount generated by the weighting shall be paid following
29 a reorganization or a dissolution that occurs on or before
30 July 1, 2019. A school district ~~which executes a whole grade~~
31 ~~sharing agreement and which adopts a resolution jointly with~~
32 ~~other affected boards to study the question of undergoing a~~
33 ~~reorganization or dissolution to take effect that successfully~~
34 reorganizes or dissolves on or before July 1, ~~2014~~ 2019, shall
35 receive a weighting of one-tenth of the percentage of the

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1 pupil's school day during which the pupil attends classes
2 in another district, attends classes taught by a teacher
3 who is jointly employed under section 280.15, or attends
4 classes taught by a teacher who is employed by another school
5 district in the year immediately preceding reorganization or
6 dissolution. A district shall be eligible for supplementary
7 weighting pursuant to this paragraph "c" ~~for a maximum of~~
8 ~~three not more than the equivalent of five years, beginning~~
9 ~~with the year in which the school district's reorganization~~
10 ~~or dissolution takes effect. Receipt of supplementary~~
11 ~~weighting for a second and third year shall be conditioned~~
12 ~~upon submission of information resulting from the study to the~~
13 ~~school budget review committee indicating progress toward the~~
14 ~~objective of reorganization on or before July 1, 2014. The~~
15 newly reorganized school district, or the receiving district
16 in the case of a dissolution, has the option of receiving the
17 supplementary weighting equally over five budget years or of
18 receiving the total of the supplementary weighting in the
19 budget year in which the school district's reorganization or
20 dissolution takes effect.

21 Sec. 3. Section 257.11, subsection 5, Code 2014, is amended
22 by striking the subsection.

23 Sec. 4. REPEAL. Section 257.11A, Code 2014, is repealed.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill makes changes relating to certain incentives for
28 school district reorganization or dissolution, and strikes
29 obsolete language relating to supplementary weighting for
30 students attending classes in a regional academy.

31 The bill provides for a reduced uniform levy as an incentive
32 for school districts that reorganized prior to July 1, 2015,
33 allowing school districts to utilize the incentive if they
34 reorganize on or before July 1, 2019. Obsolete language,
35 providing for a reduced uniform levy or reorganization or

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1 dissolution that took effect between July 1, 2002, and July 1,
2 2006, is stricken.

3 The bill also allows school districts that execute a whole
4 grade sharing agreement and adopt a resolution to study the
5 effect of undergoing a reorganization or dissolution to take
6 effect on or before July 1, 2019, to receive a weighting of
7 one-tenth of a percentage of a student's school day during
8 which the student attends classes in another district, is
9 taught by a teacher jointly employed, or attends classes taught
10 by a teacher employed by another district. This supplementary
11 weighting is available for not more than five years, beginning
12 with the year in which the reorganization or dissolution takes
13 effect.

14 The reorganized district, or the receiving district in
15 the case of a dissolution, has the option of receiving the
16 supplementary weighting equally over five budget years or in
17 the budget year in which the reorganization dissolution takes
18 effect.

19 The bill repeals a provision that provides for supplementary
20 weighting funding for three years for a reorganized school
21 district in an amount that is equal to the funding that it
22 received in the year preceding the effective date of its
23 reorganization.



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House Study Bill 559 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to school instructional time.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5213DP (5) 85
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1 Section 1. Section 256.7, subsection 19, Code 2013, as
2 amended by 2013 Iowa Acts, chapter 121, section 79, is amended
3 to read as follows:

4 19. ~~Define~~ For a school or school district with a school
5 calendar measuring instructional time in days pursuant to
6 section 279.10, subsection 1, define the minimum school day as
7 a day consisting of six hours of instructional ~~days or time~~
8 for grades one through twelve. The minimum hours as time that
9 shall be exclusive of the lunch period, but may include passing
10 time between classes. Time spent on parent-teacher conferences
11 shall be considered instructional time. A school or school
12 district may record a day of school with less than the minimum
13 instructional hours as a minimum school day if any of the
14 following apply:

15 a. If emergency health or safety factors require the late
16 arrival or early dismissal of students on a specific day.

17 b. If the total hours of instructional school time for
18 grades one through twelve for any five consecutive school
19 days equal a minimum of thirty hours, even though any one
20 day of school is less than the minimum instructional hours
21 because of a staff development opportunity provided for the
22 professional instructional staff or because parent-teacher
23 conferences have been scheduled beyond the regular school day.
24 Furthermore, if the total hours of instructional time for the
25 first four consecutive days equal at least thirty hours because
26 parent-teacher conferences have been scheduled beyond the
27 regular school day, a school or school district may record zero
28 hours of instructional time on the fifth consecutive school day
29 as a minimum school day.

30 Sec. 2. Section 279.10, subsection 4, Code 2014, is amended
31 to read as follows:

32 4. The director of the department of education may grant
33 a request made by a board of directors of a school district
34 or the authorities in charge of an accredited nonpublic
35 school stating its desire to commence classes for regularly

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1 established elementary and secondary schools prior to the
2 earliest starting date specified in subsection 1. A request
3 shall be based upon the determination that a starting date on
4 or after the earliest starting date specified in subsection 1
5 would have a significant negative educational impact.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill restores language struck by 2013 Iowa Acts,
10 chapter 121 (House File 215) that permits a school or school
11 district with a school calendar measuring instructional
12 time in days to record a day of school with less than the
13 minimum instructional hours as a minimum school day for
14 emergency health or safety factors and for staff development
15 opportunities and parent-teacher conferences. However, the
16 bill provides that a minimum school day shall consist of six
17 hours of instructional time.

18 The bill also provides that the department of education
19 may grant a request made by the authorities in charge of an
20 accredited nonpublic school to start school earlier than the
21 statutory school start date during the calendar week in which
22 the first day of September falls.



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House Study Bill 560 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to the administrator quality program and
2 to a coaching and support system for school district
3 administrators.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 256.9, subsection 63, paragraph b, Code
2 2014, is amended to read as follows:

3 b. Develop and implement, subject to an appropriation of
4 funds by the general assembly, a coaching and support system
5 for administrators. The coaching and support system shall
6 be aligned with the beginning administrator mentoring and
7 induction program created pursuant to section 284A.5 and shall
8 also be designed to support administrators in school districts
9 approved to implement the framework and comparable systems set
10 forth pursuant to sections 284.15, 284.16, and 284.17.

11 Sec. 2. Section 284A.2, subsection 1, Code 2014, is amended
12 to read as follows:

13 1. "Administrator" means an individual holding a
14 professional administrator license issued under chapter 272
15 who is employed in a school district administrative position
16 by a school district or area education agency pursuant to
17 a contract issued by a board of directors under section
18 279.23 and is engaged in instructional leadership. An
19 administrator may be employed in both an administrative and a
20 nonadministrative position by a board of directors and shall
21 be considered a part-time administrator for the portion of
22 time that the individual is employed in an administrative
23 position. ~~"Administrator" does not include assistant principals~~
24 ~~or assistant superintendents.~~

25 EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill relates to the administrator quality program
29 by providing that the term "administrator", for purposes of
30 the program, may include assistant principals and assistant
31 superintendents. The bill expands and modifies a requirement
32 that the director of the department of education establish
33 a coaching and support system for administrators in school
34 districts that is aligned with the Iowa standards for
35 administrators. The bill makes the requirement contingent

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1 on an appropriation by the general assembly, and adds that
2 the system must also be designed to support administrators in
3 school districts that are implementing approved career path,
4 leadership roles, and compensation frameworks or comparable
5 systems for teachers.



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House Study Bill 561 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
EDUCATION BILL)

A BILL FOR

1 An Act relating to education by providing technical corrections
2 to revise references and to adjust language to reflect
3 current state school finance practices, revising references
4 to an accrediting agency, reestablishing a rulemaking
5 provision relating to the beginning teacher mentoring and
6 induction program, and providing for disposition and sale of
7 certain school district property.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5271XD (10) 85
kh/rj



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1 Section 1. Section 256.7, subsection 21, paragraph b,
2 subparagraphs (1), (2), and (3), Code 2014, are amended to read
3 as follows:

4 (1) Annually, the department shall report state data
5 for each indicator in the condition of education report.
6 Rules adopted pursuant to this subsection shall specify that
7 the approved district-wide assessment of student progress
8 administered for purposes of the core academic indicators shall
9 be the assessment utilized by school districts statewide in the
10 school year beginning July 1, 2011, or a successor assessment
11 administered by the same assessment provider.

12 (2) Notwithstanding subparagraph (1), for the school year
13 beginning July 1, 2016, and each succeeding school year, the
14 rules shall provide that all students enrolled in school
15 districts in grades three through eleven shall be administered
16 an assessment during the last quarter of the school year that
17 at a minimum assesses the core academic indicators identified
18 in this paragraph "b"; is aligned with the Iowa common core
19 standards in both content and rigor; accurately describes
20 student achievement and growth for purposes of the school, the
21 school district, and state accountability systems; and provides
22 valid, reliable, and fair measures of student progress toward
23 college or career readiness.

24 (3) The director shall establish an assessment task force
25 to review and make recommendations for a statewide assessment
26 of student progress on the core academic indicators identified
27 pursuant to this paragraph "b". The task force shall recommend
28 a statewide assessment that is aligned to the Iowa common core
29 standards and is, at a minimum, valid, reliable, tested, and
30 piloted in Iowa. In addition, in developing recommendations,
31 the task force shall consider the costs to school districts and
32 the state in providing and administering such an assessment and
33 the technical support necessary to implement the assessment.
34 The task force shall submit its recommendations in a report
35 to the director, the state board, and the general assembly by

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1 January 1, 2015. The task force shall assist with the final
2 development and implementation of the assessment administered
3 pursuant to subparagraph (2). The task force members shall
4 include but not be limited to teachers, school administrators,
5 business leaders, representatives of state agencies, and
6 members of the general public. This subparagraph is repealed
7 July 1, 2020.

8 Sec. 2. Section 256.7, subsection 26, paragraph a,
9 subparagraph (1), Code 2014, is amended to read as follows:

10 (1) The rules establishing high school graduation
11 requirements shall authorize a school district or accredited
12 nonpublic school to consider that any student, at any grade
13 level, who satisfactorily completes a high school-level unit
14 of ~~English or language arts, mathematics, science, or social~~
15 ~~studies instruction~~ has satisfactorily completed a unit of the
16 high school graduation requirements for that area ~~as specified~~
17 ~~in this lettered paragraph~~ of instruction, and shall authorize
18 the school district or accredited nonpublic school to issue
19 high school credit for the unit to the student.

20 Sec. 3. Section 257.9, subsection 11, Code 2014, is amended
21 to read as follows:

22 11. *Teacher leadership supplement state cost per pupil.* The
23 teacher leadership supplement state cost per pupil amount for
24 the budget year beginning July 1, 2014, shall be calculated
25 by the department of management by dividing the allocation
26 amount for the budget year beginning July 1, 2014, in section
27 284.13, subsection 1, paragraph "e", subparagraph ~~(5)~~ (4), by
28 one-third of the statewide total budget enrollment for the
29 fiscal year beginning July 1, 2014. The teacher leadership
30 supplement state cost per pupil for the budget year beginning
31 July 1, 2015, and succeeding budget years, shall be the teacher
32 leadership supplement state cost per pupil for the base year
33 plus a supplemental state aid amount that is equal to the
34 teacher leadership supplement categorical state percent of
35 growth, pursuant to section 257.8, subsection 2, for the budget

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1 year, multiplied by the teacher leadership supplement state
2 cost per pupil for the base year.

3 Sec. 4. Section 257.10, subsection 12, paragraph a, Code
4 2014, is amended to read as follows:

5 a. The teacher leadership supplement district cost per
6 pupil amount for the budget year beginning July 1, 2014, shall
7 be calculated by the department of management by dividing the
8 allocation amount for the budget year beginning July 1, 2014,
9 in section 284.13, subsection 1, paragraph "e", subparagraph
10 (5) (4), by one-third of the statewide total budget enrollment
11 for the fiscal year beginning July 1, 2014. For the budget
12 year beginning July 1, 2015, and succeeding budget years, the
13 teacher leadership supplement district cost per pupil for each
14 school district for a budget year is the teacher leadership
15 supplement program district cost per pupil for the base year
16 plus the teacher leadership supplement supplemental state aid
17 amount for the budget year.

18 Sec. 5. Section 257.13, subsection 3, Code 2014, is amended
19 to read as follows:

20 3. If the board of directors of a school district
21 determines that a need exists for additional funds exceeding
22 the ~~authorized budget adjustment for on-time funding budget~~
23 adjustment pursuant to this section, a request for a modified
24 supplemental amount based upon increased enrollment may be
25 submitted to the school budget review committee as provided in
26 section 257.31.

27 Sec. 6. Section 257.31, subsection 5, unnumbered paragraph
28 5, Code 2014, is amended to read as follows:

29 If a district has unusual circumstances, creating an unusual
30 need for additional funds, including but not limited to the
31 circumstances enumerated in paragraphs "a" through "n", the
32 committee may grant supplemental aid to the district from any
33 funds appropriated to the department of education for the use
34 of the school budget review committee for the purposes of
35 this subsection. The school budget review committee shall



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1 review a school district's unexpended fund balance prior to
2 any decision regarding unusual finance circumstances. Such
3 aid shall be miscellaneous income and shall not be included
4 in district cost. In addition to or as an alternative to
5 granting supplemental aid the committee may establish a
6 modified supplemental amount for the district ~~by increasing its~~
7 ~~supplemental state aid~~. The school budget review committee
8 shall review a school district's unspent balance prior to any
9 decision to establish a modified supplemental amount under this
10 subsection.

11 Sec. 7. Section 257.31, subsection 6, paragraph a, Code
12 2014, is amended to read as follows:

13 a. The committee shall ~~establish~~ increase a modified
14 supplemental amount for a district ~~by increasing its~~
15 ~~supplemental state aid~~ when the district submits evidence that
16 it requires additional funding for removal, management, or
17 abatement of environmental hazards due to a state or federal
18 requirement. Environmental hazards shall include but are not
19 limited to the presence of asbestos, radon, or the presence of
20 any other hazardous material dangerous to health and safety.

21 Sec. 8. Section 257.31, subsection 7, paragraph b, Code
22 2014, is amended to read as follows:

23 b. Other expenditures, including but not limited to
24 expenditures for salaries or recurring costs, are not
25 authorized under this subsection. Expenditures authorized
26 under this subsection shall not be included in a modified
27 ~~supplemental state aid~~ amount or district cost, and the portion
28 of the unexpended fund balance which is authorized to be spent
29 shall be regarded as if it were miscellaneous income. Any part
30 of the amount not actually spent for the authorized purpose
31 shall revert to its former status as part of the unexpended
32 fund balance.

33 Sec. 9. Section 257.31, subsection 14, paragraph b,
34 subparagraph (3), Code 2014, is amended to read as follows:

35 (3) A school district is only eligible to receive



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1 supplemental aid payments during the budget year if the school
2 district certifies to the school budget review committee that
3 for the year following the budget year it will notify the
4 school budget review committee to instruct the director of the
5 department of management to increase the district's modified
6 supplemental ~~state-aid~~ amount and will fund the modified
7 supplemental ~~state-aid~~ amount increase either by using moneys
8 from its unexpended fund balance to reduce the district's
9 property tax levy or by using cash reserve moneys to equal the
10 amount of the deficit that would have been property taxes and
11 any part of the state aid portion of the deficit not received
12 as supplemental aid under this subsection. The director
13 of the department of management shall make the necessary
14 adjustments to the school district's budget to provide the
15 modified supplemental amount and shall make the supplemental
16 aid payments.

17 Sec. 10. Section 257.32, subsection 1, paragraph a, Code
18 2014, is amended to read as follows:

19 a. An area education agency budget review procedure is
20 established for the school budget review committee created
21 in section 257.30. The school budget review committee, in
22 addition to its duties under section 257.31, shall meet and
23 hold hearings each year to review unusual circumstances of area
24 education agencies, either upon the committee's motion or upon
25 the request of an area education agency. The committee may
26 grant supplemental aid to the area education agency from funds
27 appropriated to the department of education for area education
28 agency budget review purposes, or an amount may be added to
29 the area education agency special education support services
30 modified supplemental ~~state-aid~~ amount for districts in an area
31 or an additional amount may be added to district cost for media
32 services or educational services for all districts in an area
33 for the budget year either on a temporary or permanent basis,
34 or both.

35 Sec. 11. Section 257.41, subsection 1, Code 2014, is amended



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1 to read as follows:

2 1. *Budget.* The budget of an approved program for returning
3 dropouts and dropout prevention for a school district, after
4 subtracting funds received from other sources for that purpose,
5 shall be funded annually on a basis of one-fourth or more
6 from the district cost of the school district and up to
7 three-fourths by an increase in modified supplemental state aid
8 amount as defined in section 257.8. Annually, the department
9 of management shall establish a modified supplemental amount
10 for each such school district equal to the difference between
11 the approved budget for the program for returning dropouts and
12 dropout prevention for that district and the sum of the amount
13 funded from the district cost of the school district plus funds
14 received from other sources.

15 Sec. 12. Section 260C.36, subsection 1, paragraph h, Code
16 2014, is amended to read as follows:

17 *h.* Compliance with the faculty accreditation standards of
18 the ~~north central association of colleges and schools~~ higher
19 learning commission, and compliance with faculty standards
20 required under specific programs offered by the community
21 college that are accredited by other accrediting agencies.

22 Sec. 13. Section 260C.47, subsection 1, unnumbered
23 paragraph 1, Code 2014, is amended to read as follows:

24 The state board of education shall establish an
25 accreditation process for community college programs ~~by July~~
26 ~~1, 1997~~. The process shall be jointly developed and agreed
27 upon by the department of education and the community colleges.
28 The state accreditation process shall be integrated with the
29 accreditation process of the ~~north central association of~~
30 ~~colleges and schools~~ higher learning commission, including the
31 evaluation cycle, the self-study process, and the criteria for
32 evaluation, which shall incorporate the standards for community
33 colleges developed under section 260C.48; and shall identify
34 and make provision for the needs of the state that are not met
35 by the association's accreditation process. ~~For the academic~~

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1 ~~year commencing July 1, 1998, and in succeeding school years,~~
2 ~~the~~ The department of education shall use a two-component
3 process for the continued accreditation of community college
4 programs.

5 Sec. 14. Section 260C.47, subsection 1, paragraph b, Code
6 2014, is amended to read as follows:

7 b. The second component consists of the use of an
8 accreditation team appointed by the director of the department
9 of education, to conduct an evaluation, including an on-site
10 visit of each community college, with a comprehensive
11 ~~evaluation to occur during the same year as the evaluation by~~
12 ~~the north central association of colleges and schools occurring~~
13 once every ten years, and an interim evaluation midway between
14 comprehensive evaluations. The number and composition of the
15 accreditation team shall be determined by the director, but the
16 team shall include members of the department of education staff
17 and community college staff members from community colleges
18 other than the community college that conducts the programs
19 being evaluated for accreditation. ~~Beginning July 1, 2006,~~
20 ~~the~~ The accreditation team shall monitor the quality faculty
21 plan implemented by each community college pursuant to section
22 260C.36.

23 Sec. 15. Section 260C.48, subsection 4, Code 2014, is
24 amended to read as follows:

25 4. ~~Commencing July 1, 2006, standards~~ Standards relating to
26 quality assurance of faculty and ongoing quality professional
27 development shall be the accreditation standards of the ~~north~~
28 ~~central association of colleges and schools higher learning~~
29 commission, and the faculty standards required under specific
30 programs offered by the community college that are accredited
31 by other accrediting agencies.

32 Sec. 16. Section 261.9, subsection 1, paragraphs a, b, and
33 c, Code 2014, are amended to read as follows:

34 a. Is accredited by the ~~north central association of~~
35 ~~colleges and secondary schools accrediting agency based on~~



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1 ~~their requirements~~ higher learning commission.
2 **b.** Is accredited by the ~~north central association of~~
3 ~~colleges and secondary schools accrediting agency based on~~
4 ~~their requirements~~ higher learning commission, is exempt from
5 taxation under section 501(c)(3) of the Internal Revenue
6 Code, and annually provides a matching aggregate amount of
7 institutional financial aid equal to at least seventy-five
8 percent of the amount received in a fiscal year by the
9 institution's students for Iowa tuition grant assistance under
10 this chapter. Commencing with the fiscal year beginning
11 July 1, 2006, the matching aggregate amount of institutional
12 financial aid shall increase by the percentage of increase
13 each fiscal year of funds appropriated for Iowa tuition grants
14 under section 261.25, subsection 1, to a maximum match of one
15 hundred percent. The institution shall file annual reports
16 with the commission prior to receipt of tuition grant moneys
17 under this chapter. An institution whose income is not exempt
18 from taxation under section 501(c) of the Internal Revenue Code
19 and whose students were eligible to receive Iowa tuition grant
20 money in the fiscal year beginning July 1, 2003, shall meet the
21 match requirements of this paragraph no later than June 30,
22 2005.
23 **c.** Is a specialized college that is accredited by the
24 ~~north central association of colleges and secondary schools~~
25 ~~accrediting agency~~ higher learning commission, and which offers
26 health professional programs that are affiliated with health
27 care systems located in Iowa.
28 Sec. 17. Section 261.92, subsection 1, Code 2014, is amended
29 to read as follows:
30 1. "*Accredited higher education institution*" means a
31 public institution of higher learning located in Iowa which
32 is accredited by the ~~north central association of colleges~~
33 ~~and secondary schools accrediting agency based on their~~
34 ~~requirements as of April 1, 1969~~ higher learning commission,
35 or an institution of higher learning located in Iowa which is



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1 operated privately and not controlled or administered by any
2 state agency or any subdivision of the state, and which ~~meets~~
3 ~~the following requirements:~~

4 ~~a. Is accredited by the north central association of~~
5 ~~colleges and secondary schools accrediting agency based on~~
6 ~~their requirements as of April 1, 1969, and,~~

7 ~~b. Promotes~~ promotes equal opportunity and affirmative
8 action efforts in the recruitment, appointment, assignment,
9 and advancement of personnel at the institution and provides
10 information regarding such efforts to the commission upon
11 request.

12 Sec. 18. Section 284.5, Code 2014, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 8. The state board shall adopt rules to
15 administer this section.

16 Sec. 19. Section 297.22, subsection 1, paragraph b, Code
17 2014, is amended to read as follows:

18 b. Proceeds from the sale or disposition of real or other
19 property shall be deposited into the fund which was used to
20 account for the acquisition of the property. If the district
21 is unable to determine which fund was used to account for the
22 acquisition of the property or if the fund no longer exists
23 in the district, the proceeds from the sale or disposition
24 of real property shall be placed in the physical plant and
25 equipment levy fund. Proceeds, and the proceeds from the sale
26 or disposition of property other than real property shall be
27 placed in the general fund. Proceeds from the lease of real or
28 other property shall be placed in the general fund.

29 Sec. 20. Section 297.22, subsection 3, Code 2014, is amended
30 to read as follows:

31 3. The provisions in subsections 1 and 2 relating to the
32 sale, lease, or disposition of school district property do not
33 apply to student-constructed buildings and the property on
34 which student-constructed buildings are located. The board of
35 directors of a school district may sell, lease, or dispose of



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1 a student-constructed building and the property on which the
2 student-constructed building is located, and may purchase sites
3 for the erection of additional student-constructed structures,
4 by any procedure which is adopted by the board. The proceeds
5 from disposition of a student-constructed structure shall be
6 placed in the school district's student construction fund.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill makes technical corrections to revise internal
11 references and adjusts language to reflect current state school
12 finance practices, revising references to an accrediting
13 agency, reestablishes a rulemaking provision relating to the
14 beginning teacher mentoring and induction program, and provides
15 for the disposition and sale of certain school district
16 property.

17 The bill amends Code sections 260C.36, 260C.47, 260C.48,
18 261.9, and 261.92 to replace references to the "north central
19 association of colleges and (secondary) schools" with
20 references to the higher learning commission. The bill states
21 that the comprehensive evaluation conducted on a community
22 college must occur every 10 years, rather than during the same
23 year as the evaluation by the accrediting agency as the current
24 requirement provides. The bill also strikes obsolete language
25 from these Code sections as necessary.

26 The bill modifies a provision relating to core indicators
27 of student achievement to differentiate between core academic
28 indicators and other core indicators that include but are
29 not limited to graduation rate, postsecondary education,
30 and successful employment in Iowa. The bill provides that
31 assessments of core indicators are to be administered to assess
32 core academic indicators.

33 The bill provides that school districts and accredited
34 nonpublic schools may consider that any student at any grade
35 level who satisfactorily completes a high school-level unit of

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1 instruction has satisfactorily completed a unit of the high
2 school graduation requirements for that area of instruction
3 and the school district or school may issue high school credit
4 for the unit to the student. Currently, any student who
5 successfully completes English or language arts, mathematics,
6 science, and social studies at the secondary level may receive
7 high school credit for such completion.

8 The bill corrects internal references and modifies state
9 school finance language modified or enacted by 2013 Iowa Acts,
10 chapter 121 (HF 215). The internal references to provisions
11 establishing the teacher leadership supplement, and the
12 language modifications relate to changes to the terms "modified
13 allowable growth" and "modified supplemental amount" in school
14 district funding terminology.

15 The bill also reestablishes a provision, inadvertently
16 stricken in the 2013 legislation, requiring the state board of
17 education to adopt rules to administer the beginning teacher
18 mentoring and induction program.

19 The bill establishes that a school district may deposit
20 proceeds from the sale or disposition of real or other property
21 into the fund which was used to account for the acquisition
22 of the property. If the district is unable to determine
23 which fund was used or if the fund no longer exists, the
24 proceeds shall be placed in the physical plant and equipment
25 levy fund. Current law only permits that the proceeds be
26 placed in the physical plant and equipment levy fund. The
27 same Code provision is amended to specify that a school
28 district may purchase sites for the erection of additional
29 "student-constructed" structures, and the proceeds from the
30 disposition of a student-constructed structure must be placed
31 in the school district's student construction fund.



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House Study Bill 562 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED BOARD OF
EDUCATIONAL EXAMINERS BILL)

A BILL FOR

1 An Act relating to transitional coaching authorizations issued
2 by the board of educational examiners.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 272.2, subsection 14, paragraph b,
2 subparagraph (2), Code 2014, is amended to read as follows:
3 (2) The applicant is less than twenty-one years of age
4 except as provided in section 272.31, subsection 1, ~~paragraph~~
5 ~~"e"~~. However, a student enrolled in a practitioner preparation
6 program who meets board requirements for a temporary,
7 limited-purpose license who is seeking to teach as part of a
8 practicum or internship may be less than twenty-one years of
9 age.

10 Sec. 2. Section 272.31, subsection 1, Code 2014, is amended
11 to read as follows:

12 1. a. The Except as provided in paragraph "b", the
13 minimum requirements for the board to award issue a coaching
14 authorization to an applicant are:

15 ~~a-~~ (1) Successful completion of one semester credit hour
16 or ten contact hours in a course relating to knowledge and
17 understanding of the structure and function of the human body
18 in relation to physical activity.

19 ~~b-~~ (2) Successful completion of one semester credit hour
20 or ten contact hours in a course relating to knowledge and
21 understanding of human growth and development of children and
22 youth in relation to physical activity.

23 ~~c-~~ (3) Successful completion of two semester credit hours
24 or twenty contact hours in a course relating to knowledge and
25 understanding of the prevention and care of athletic injuries
26 and medical and safety problems relating to physical activity.

27 ~~d-~~ (4) Successful completion of one semester credit hour
28 or ten contact hours relating to knowledge and understanding
29 of the techniques and theory of coaching interscholastic
30 athletics.

31 ~~e-~~ (5) Attainment of at least eighteen years of age.

32 b. The board shall issue a transitional coaching
33 authorization to an individual who is at least eighteen years
34 of age and who provides verification of an offer of a coaching
35 position by a school district or by a consortium of school



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1 districts, but who has not completed the coursework required
2 for a coaching authorization as specified in paragraph "a". A
3 transitional coaching authorization is valid for not more than
4 one year, may not be renewed, and is valid only in the hiring
5 school district or districts.

6 Sec. 3. Section 279.19B, subsection 1, paragraph a,
7 subparagraph (2), Code 2014, is amended to read as follows:

8 (2) A qualified individual who meets the requirements of
9 section 272.31, subsection 1, paragraph "a", and possesses
10 a coaching authorization issued by the board of educational
11 examiners.

12 Sec. 4. Section 279.19B, subsection 1, paragraph a, Code
13 2014, is amended by adding the following new subparagraph:

14 NEW SUBPARAGRAPH. (3) A qualified individual who meets the
15 requirements of section 272.31, subsection 1, paragraph "b",
16 and possesses a transitional coaching authorization issued by
17 the board of educational examiners.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill requires the board of educational examiners to
22 issue a transitional coaching authorization to an individual
23 who is at least 18 years of age and who provides verification
24 of an offer of a coaching position by a school district or by
25 a consortium of school districts, but who has not completed
26 the coursework required for a coaching authorization. A
27 transitional coaching authorization is valid for not more than
28 one year, may not be renewed, and is valid only in the hiring
29 school district or districts. In employing a head coach or
30 assistant coach, the Code requires each school district to
31 consider applicants in a priority order, with teachers having
32 first priority and persons with a coaching authorization
33 second. To this priority list, the bill adds in the third
34 position those individuals who possess a transitional coaching
35 authorization.

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1 Currently, the coursework needed for a full coaching
2 authorization includes successful completion of 5 semester
3 credit hours or 50 contact hours in courses relating to
4 knowledge and understanding of the structure and function of
5 the human body in relation to physical activity; to knowledge
6 and understanding of human growth and development of children
7 and youth in relation to physical activity; to knowledge and
8 understanding of the prevention and care of athletic injuries
9 and medical and safety problems relating to physical activity;
10 and to knowledge and understanding of the techniques and theory
11 of coaching interscholastic athletics.



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House Study Bill 563 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MILLER)

A BILL FOR

1 An Act establishing asset, income, and identity verification
2 requirements for medical assistance applicants and
3 recipients.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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pf/nh



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1 Section 1. MEDICAL ASSISTANCE PROGRAM — ASSET, INCOME, AND
2 IDENTITY VERIFICATION.

3 1. The department of human services shall contract with
4 a third-party vendor to develop and implement procedures
5 for verifying the income, assets, and identity of medical
6 assistance program applicants and recipients, whose eligibility
7 for medical assistance is based upon the applicant's or
8 recipient's age, blindness, or disability, to prevent
9 fraud, misrepresentation, and inadequate documentation when
10 determining an applicant's eligibility for assistance prior
11 to the distribution of benefits and during eligibility
12 redeterminations and reviews. The procedures developed shall
13 ensure that the verifications apply to every case. Each
14 verification shall include utilization of the asset, income,
15 and identity verification system established under this
16 section.

17 2. The department of human services shall contract with
18 a third-party vendor to establish a computerized asset,
19 income, and identity eligibility verification system to
20 complete the eligibility determinations, redeterminations,
21 and reviews specified in subsection 1. The vendor shall be
22 able to demonstrate access to a current financial institution
23 network representing at least ninety percent of the financial
24 institutions in the state and nationally.

25 3. As a condition of awarding or continuing assistance under
26 the medical assistance program, the department shall verify
27 the name, date of birth, and social security number of each
28 applicant and recipient as specified in subsection 1 against
29 the following public records:

30 a. A nationwide public records data source of physical
31 asset ownership such as real property, automobiles, watercraft,
32 aircraft, and luxury vehicles.

33 b. A nationwide public records data source of incarcerated
34 individuals.

35 c. A comprehensive public records database that identifies



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1 potential identity fraud or identity theft that can closely
2 associate name, social security number, date of birth,
3 telephone, and address information.

4 4. Pursuant to 42 U.S.C. §1396w, the director of
5 human services shall enter into agreements with financial
6 institutions in this state to operate the financial record
7 matching program applicable to applicants for or recipients of
8 medical assistance whose eligibility for medical assistance
9 is based upon the applicant's or recipient's age, blindness,
10 or disability for the purpose of verifying the assets of the
11 applicant or recipient. Under the financial record matching
12 program, and with the authorization of the applicant for or
13 recipient of medical assistance, the department of human
14 services may request and receive from any financial institution
15 doing business in this state or nationally the financial
16 records of the applicant or recipient. Within fifteen days
17 of the department's request, the department shall collect
18 the current account balance information for open and closed
19 accounts for a period of up to the sixty previous months. The
20 department shall systematically canvass financial institutions
21 nationally, regionally, and locally.

22 a. The department of human services or any financial
23 institution that discloses financial records under this
24 subsection shall not be subject to civil liability or criminal
25 prosecution which is based upon its disclosure under this
26 section, or for any other action taken in good faith to comply
27 with the requirements of this section.

28 b. Any records established or information collected
29 pursuant to the provisions of this subsection shall be made
30 available only to the director of human services or the
31 director's designee, the applicant or recipient, and the
32 applicant's or recipient's authorized representative as
33 provided by the rules of the department. Such records and
34 information shall be available and used only for purposes
35 directly connected with the determination and verification



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1 of eligibility for medical assistance for applicants and
2 recipients whose eligibility for medical assistance is
3 based upon the applicant's or recipient's age, blindness, or
4 disability. The records and information made available to
5 the applicant or recipient, or the applicant's or recipient's
6 authorized representative shall not include information
7 provided to the department that is prohibited from release by
8 federal or state law or under contract or agreement between the
9 department and another entity if such contract or agreement
10 prohibits release of such information.

11 5. The department of human services shall provide a status
12 report regarding the implementation of this Act six months
13 after the date of implementation to the governor and the
14 general assembly. The report shall summarize the department's
15 time and labor associated with implementation of this Act,
16 the feedback and reactions of applicants and recipients, any
17 barriers to implementation that were overcome, anticipated
18 future actions, and the department's assessment of the relative
19 success of the implementation.

20 6. As used in this section, "financial institution" means
21 financial institution as defined in 12 U.S.C. §3401.

22 7. If an applicant for or recipient of medical assistance
23 who is eligible on the basis of age, blindness, or disability
24 refuses to provide or revokes any authorization to the
25 department of human services to have access to the individual's
26 asset, income, and identity records as provided in this
27 section, the department may, on that basis, deny or terminate
28 eligibility for medical assistance.

29 8. The department of human services shall adopt rules
30 pursuant to chapter 17A to administer this section.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to asset, income, and identity
35 verification for medical assistance applicants and recipients

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1 who are eligible based upon age, blindness, or disability.
2 The bill directs the department of human services (DHS) to
3 contract with a third-party vendor to develop and implement
4 procedures for verifying the income, assets, and identity of
5 medical assistance program applicants and recipients who are
6 eligible based upon their age, blindness, or disability to
7 prevent fraud, misrepresentation, and inadequate documentation
8 when determining an applicant's eligibility for assistance
9 prior to the distribution of benefits and during eligibility
10 redeterminations and reviews. Each verification is required
11 to include utilization of the asset, income, and identity
12 verification system to be established under the bill. DHS is
13 directed to contract with a third-party vendor to establish
14 a computerized asset, income, and identity eligibility
15 verification system. The vendor must demonstrate access to a
16 current financial institution network representing at least
17 90 percent of the financial institutions in the state and
18 nationally.

19 As a condition of awarding or continuing assistance under
20 the medical assistance program, DHS is required to verify
21 the name, date of birth, and social security number of each
22 applicant and recipient whose eligibility is based on age,
23 blindness, or disability against certain public records
24 specified in the bill.

25 The bill directs DHS to enter into agreements with financial
26 institutions in the state to operate the financial record
27 matching program as required under federal law. Under such
28 program, and with the authorization of the applicant or
29 recipient, DHS may request and receive from any financial
30 institution doing business in this state or nationally
31 the financial records of any applicant for or recipient of
32 medical assistance whose eligibility for medical assistance is
33 based upon the applicant's or recipient's age, blindness, or
34 disability. DHS must, within 15 days of the request, collect
35 the current account balance information for open and closed



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1 accounts for a period of up to the 60 previous months. DHS
2 must systematically canvass financial institutions nationally,
3 regionally, and locally.

4 The bill provides for immunity from civil liability and
5 criminal prosecution for DHS and any financial institution that
6 discloses financial records under the bill or for any other
7 action taken in good faith to comply with the requirements of
8 the bill.

9 Any records established or information collected under the
10 bill are only available to the director of human services
11 or the director's designee, the applicant or recipient, and
12 the applicant's or recipient's authorized representative as
13 provided by the rules of the department. The records and
14 information are to be available and used only for purposes
15 directly connected with the determination and verification
16 of eligibility for medical assistance for applicants and
17 recipients whose eligibility for medical assistance is
18 based upon the applicant's or recipient's age, blindness, or
19 disability. The records and information made available to
20 the applicant or recipient, or the applicant's or recipient's
21 authorized representative, shall not include information
22 provided to the department that is prohibited from release by
23 federal or state law or under contract or agreement between the
24 department and another entity if such contract or agreement
25 prohibits release of such information.

26 DHS is directed to provide a status report to the governor
27 and the general assembly regarding the implementation of the
28 bill six months after the date of implementation. The report
29 shall summarize the department's time and labor associated
30 with implementation of the bill, the feedback and reactions of
31 applicants and recipients, any barriers to implementation that
32 were overcome, anticipated future actions, and the department's
33 assessment of the relative success of the implementation.

34 Under the bill, an individual who is an applicant for or
35 recipient of medical assistance based on the individual's



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1 age, blindness, or disability who refuses or revokes an
2 authorization required in the bill may be subject to denial or
3 termination of eligibility.
4 The bill directs DHS to adopt rules pursuant to Code chapter
5 17A to administer the bill.



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House Study Bill 564 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

A BILL FOR

1 An Act relating to certain conditional permits issued by the
2 department of natural resources relating to air and water
3 quality.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 455B.105, subsection 11, paragraph a,
2 Code 2014, is amended to read as follows:
3 a. Adopt, by rule, procedures and forms necessary to
4 implement the provisions of this chapter and chapters 459,
5 459A, and 459B relating to permits, ~~conditional permits,~~ and
6 general permits. The commission may also adopt, by rule, a
7 schedule of fees for permit ~~and conditional permit~~ applications
8 and a schedule of fees which may be periodically assessed
9 for administration of permits ~~and conditional permits~~. In
10 determining the fee schedules, the commission shall consider:
11 (1) The state's reasonable cost of reviewing applications,
12 issuing permits ~~and conditional permits,~~ and checking
13 compliance with the terms of the permits.
14 (2) The relative benefits to the applicant and to the
15 public of permit ~~and conditional permit~~ review, issuance, and
16 monitoring compliance. It is the intention of the legislature
17 that permit fees shall not cover any costs connected with
18 correcting violation of the terms of any permit and shall not
19 impose unreasonable costs on any municipality.
20 (3) The typical costs of the particular types of projects
21 or activities for which permits ~~or conditional permits~~ are
22 required, provided that in no circumstances shall fees be in
23 excess of the actual costs to the department.
24 Sec. 2. Section 455B.133, subsection 6, paragraph a, Code
25 2014, is amended to read as follows:
26 a. Require, by rules, notice of the construction of any
27 air contaminant source which may cause or contribute to air
28 pollution, and the submission of plans and specifications to
29 the department, or other information deemed necessary, for the
30 installation of air contaminant sources and related control
31 equipment. ~~The rules shall allow the owner or operator of a~~
32 ~~major stationary source to elect to obtain a conditional permit~~
33 ~~in lieu of a construction permit.~~ The rules relating to a
34 ~~conditional permit for an electric power generating facility~~
35 ~~subject to chapter 476A and other major stationary sources~~

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1 shall allow the submission of engineering descriptions, flow
2 diagrams and schematics that quantitatively and qualitatively
3 identify emission streams and alternative control equipment
4 that will provide compliance with emission standards. Such
5 rules shall not specify any particular method to be used to
6 reduce undesirable levels of emissions, nor type, design, or
7 method of installation of any equipment to be used to reduce
8 such levels of emissions, nor the type, design, or method of
9 installation or type of construction of any manufacturing
10 processes or kinds of equipment, nor specify the kind or
11 composition of fuels permitted to be sold, stored, or used
12 unless authorized by subsection 4 of this section.

13 Sec. 3. Section 455B.134, subsection 3, unnumbered
14 paragraph 1, Code 2014, is amended to read as follows:

15 Grant, modify, suspend, terminate, revoke, reissue,
16 or deny permits for the construction or operation of new,
17 modified, or existing air contaminant sources and for related
18 control equipment, ~~and conditional permits for electric~~
19 ~~power generating facilities subject to chapter 476A and other~~
20 ~~major stationary sources,~~ subject to the rules adopted by the
21 commission. The department shall furnish necessary application
22 forms for such permits.

23 Sec. 4. Section 455B.134, subsection 3, paragraphs a, b, c,
24 and e, Code 2014, are amended to read as follows:

25 a. No air contaminant source shall be installed, altered
26 so that it significantly affects emissions, or placed in use
27 unless a construction ~~or conditional~~ permit has been issued for
28 the source.

29 b. The condition of expected performance shall be reasonably
30 detailed in the construction ~~or conditional~~ permit.

31 c. All applications for permits ~~other than conditional~~
32 ~~permits for electric generating facilities~~ shall be subject to
33 such notice and public participation as may be provided by rule
34 by the commission. Upon denial or limitation of a permit ~~other~~
35 ~~than a conditional permit for an electric generating facility,~~

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1 the applicant shall be notified of such denial and informed of
2 the reason or reasons therefor, and such applicant shall be
3 entitled to a hearing before the commission.

4 e. A regulated air contaminant source for which a
5 construction permit ~~or conditional permit~~ has been issued
6 shall not be operated unless an operating permit also has
7 been issued for the source. However, if the facility was in
8 compliance with permit conditions prior to the requirement for
9 an operating permit and has made timely application for an
10 operating permit, the facility may continue operation until
11 the operating permit is issued or denied. Operating permits
12 shall contain the requisite conditions and compliance schedules
13 to ensure conformance with state and federal requirements
14 including emission allowances for sulfur dioxide emissions
15 for sources subject to Tit. IV of the federal Clean Air Act
16 Amendments of 1990. If construction of a new air contaminant
17 source is proposed, the department may issue an operating
18 permit concurrently with the construction permit, if possible
19 and appropriate.

20 Sec. 5. Section 455B.134, subsection 3, paragraph d, Code
21 2014, is amended by striking the paragraph.

22 Sec. 6. Section 455B.147, subsection 2, Code 2014, is
23 amended by striking the subsection.

24 Sec. 7. Section 455B.173, subsection 3, paragraph a, Code
25 2014, is amended by striking the paragraph.

26 Sec. 8. Section 455B.174, subsection 4, paragraph d, Code
27 2014, is amended by striking the paragraph.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill eliminates the ability of the department of
32 natural resources to issue certain conditional permits
33 related to air and water quality to electric power generating
34 facilities.



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House Study Bill 565 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

A BILL FOR

1 An Act providing for the issuance of a paddlefish fishing
2 license and tag and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 483A.1, subsection 1, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *Of.* Paddlefish fishing license,
4 annual\$ 20.00
5 Sec. 2. Section 483A.1, subsection 2, Code 2014, is amended
6 by adding the following new paragraph:
7 NEW PARAGRAPH. *Of.* Paddlefish fishing license,
8 annual\$ 40.00
9 Sec. 3. NEW SECTION. **483A.6A Paddlefish fishing license and**
10 **tag.**
11 1. A resident fishing for paddlefish on the Missouri or
12 Big Sioux river who is required to have a fishing license
13 must purchase a paddlefish fishing license, in addition to a
14 resident fishing license.
15 2. A nonresident fishing for paddlefish on the Missouri
16 or Big Sioux river is required to have a fishing license that
17 is valid in Iowa and, in addition, purchase a nonresident
18 paddlefish fishing license.
19 3. The commission shall establish the number of annual
20 paddlefish fishing licenses that may be issued pursuant to
21 section 481A.39 for use on the Missouri or Big Sioux river.
22 A paddlefish fishing license shall be accompanied by a tag
23 designed to be used only once. If a paddlefish is taken
24 pursuant to a paddlefish fishing license, the paddlefish shall
25 be tagged immediately and the tag shall be dated.
26 Sec. 4. Section 483A.24, subsection 6, Code 2014, is amended
27 to read as follows:
28 6. A resident or nonresident of the state under sixteen
29 years of age is not required to have a license to fish in the
30 waters of the state. However, residents and nonresidents under
31 sixteen years of age must pay the trout fishing fee to possess
32 trout or they must fish for trout with a licensed adult who has
33 paid the trout fishing fee and limit their combined catch to
34 the daily limit established by the commission. A resident or
35 nonresident of the state under sixteen years of age is required



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1 to have a paddlefish fishing license to fish for paddlefish on
2 the Missouri or Big Sioux river.

3 Sec. 5. Section 805.8B, subsection 3, paragraph c, Code
4 2014, is amended to read as follows:

5 c. For violations of sections 481A.6, 481A.21, 481A.22,
6 481A.26, 481A.50, 481A.56, 481A.60 through 481A.62, 481A.83,
7 481A.84, 481A.92, 481A.123, 481A.145, subsection 3, sections
8 483A.6A, 483A.7, 483A.8, 483A.23, 483A.24, and 483A.28, the
9 scheduled fine is twenty-five dollars.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill authorizes the natural resource commission to
14 issue paddlefish fishing licenses for use on the Missouri
15 and Big Sioux rivers pursuant to the commission's powers to
16 maintain biological balance pursuant to Code section 481A.39.
17 The license must be accompanied by a tag designed to be used
18 only once. If a paddlefish is taken pursuant to the license,
19 the paddlefish shall be tagged and the tag dated.

20 A resident fishing for paddlefish on the Missouri or Big
21 Sioux river who is required to have a fishing license must
22 have a resident fishing license and also purchase an annual
23 paddlefish fishing license that costs \$20.

24 A nonresident fishing for paddlefish on the Missouri or Big
25 Sioux river must have a fishing license that is valid in Iowa
26 and also purchase an annual paddlefish fishing license that
27 costs \$40.

28 A resident or nonresident of the state under 16 years of age
29 is not required to have a fishing license to fish in the waters
30 of the state but is required to have a paddlefish fishing
31 license to fish for paddlefish on the Missouri or Big Sioux
32 river.

33 A violation of the bill's requirements is punishable by a
34 scheduled fine of \$25. In addition, a person who illegally
35 takes a paddlefish must reimburse the state for the value of

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1 the fish in the amount of \$1,000 per fish pursuant to Code
2 section 481A.130(1)(i)(3).



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House Study Bill 566 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON COWNIE)

A BILL FOR

- 1 An Act relating to vapor products and alternative nicotine
- 2 products, providing penalties, and including effective date
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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1 Section 1. Section 453A.1, subsection 21, Code 2014, is
2 amended to read as follows:

3 21. "*Retailer*" shall mean and include every person in
4 this state who shall sell, distribute, or offer for sale for
5 consumption or possess for the purpose of sale for consumption,
6 cigarettes, alternative nicotine products, or vapor products
7 irrespective of quantity or amount or the number of sales.

8 Sec. 2. Section 453A.1, Code 2014, is amended by adding the
9 following new subsections:

10 NEW SUBSECTION. 01. "*Alternative nicotine product*" means
11 a product, not consisting of or containing tobacco, that
12 provides for the ingestion into the body of nicotine, whether
13 by chewing, absorbing, dissolving, inhaling, snorting, or
14 sniffing, or by any other means. "*Alternative nicotine product*"
15 does not include cigarettes, tobacco products, or vapor
16 products, or a product that is regulated as a drug or device by
17 the United States food and drug administration under chapter V
18 of the federal Food, Drug, and Cosmetic Act.

19 NEW SUBSECTION. 26A. "*Vapor product*" means a noncombustible
20 product containing nicotine that employs a mechanical heating
21 element, battery, or circuit, regardless of shape or size, that
22 can be used to heat a nicotine solution, and includes but is
23 not limited to a cartridge or other container of such nicotine
24 solution, an electronic cigarette, an electronic cigar, an
25 electronic cigarillo, or an electronic pipe. "*Vapor product*"
26 does not include a product regulated as a drug or device by the
27 United States food and drug administration under chapter V of
28 the federal Food, Drug, and Cosmetic Act.

29 Sec. 3. Section 453A.2, subsections 1, 2, 3, and 8, Code
30 2014, are amended to read as follows:

31 1. A person shall not sell, give, or otherwise supply any
32 tobacco, tobacco products, alternative nicotine products, vapor
33 products, or cigarettes to any person under eighteen years of
34 age.

35 2. A person under eighteen years of age shall not smoke,

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1 use, possess, purchase, or attempt to purchase any tobacco,
2 tobacco products, alternative nicotine products, vapor
3 products, or cigarettes.

4 3. Possession of ~~cigarettes or tobacco~~, tobacco products,
5 alternative nicotine products, vapor products, or cigarettes by
6 an individual under eighteen years of age does not constitute a
7 violation under this section if the individual under eighteen
8 years of age possesses the ~~cigarettes or tobacco~~, tobacco
9 products, alternative nicotine products, vapor products, or
10 cigarettes as part of the individual's employment and the
11 individual is employed by a person who holds a valid permit
12 under this chapter or who lawfully offers for sale or sells
13 cigarettes or tobacco products.

14 8. a. A person shall not be guilty of a violation of
15 this section if conduct that would otherwise constitute a
16 violation is performed to assess compliance with ~~cigarette and~~
17 tobacco, tobacco products, alternative nicotine products, vapor
18 products, or cigarette laws if any of the following applies:

19 (1) The compliance effort is conducted by or under the
20 supervision of law enforcement officers.

21 (2) The compliance effort is conducted with the advance
22 knowledge of law enforcement officers and reasonable measures
23 are adopted by those conducting the effort to ensure that
24 use of ~~cigarettes or tobacco~~, tobacco products, alternative
25 nicotine products, vapor products, or cigarettes by individuals
26 under eighteen years of age does not result from participation
27 by any individual under eighteen years of age in the compliance
28 effort.

29 b. For the purposes of this subsection, "*law enforcement*
30 *officer*" means a peace officer as defined in section 801.4 and
31 includes persons designated under subsection 4 to enforce this
32 section.

33 Sec. 4. Section 453A.4, subsection 1, Code 2014, is amended
34 to read as follows:

35 1. If a person holding a permit under this chapter or an

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1 employee of such a permittee has a reasonable belief based on
2 factual evidence that a driver's license as defined in section
3 321.1, subsection 20A, or nonoperator's identification card
4 issued pursuant to section 321.190 offered by a person who
5 wishes to purchase ~~cigarettes~~ or tobacco, tobacco products,
6 alternative nicotine products, vapor products, or cigarettes
7 is altered or falsified or belongs to another person, the
8 permittee or employee may retain the driver's license or
9 nonoperator's identification card. Within twenty-four hours,
10 the card shall be delivered to the appropriate city or county
11 law enforcement agency of the jurisdiction in which the
12 permittee's premises are located, and the permittee shall file
13 a written report of the circumstances under which the card was
14 retained. The local law enforcement agency may investigate
15 whether a violation of section 321.216, 321.216A, or 321.216C
16 has occurred. If an investigation is not initiated or probable
17 cause is not established by the local law enforcement agency,
18 the driver's license or nonoperator's identification card shall
19 be delivered to the person to whom it was issued. The local law
20 enforcement agency may forward the card with the report to the
21 state department of transportation for investigation, in which
22 case, the state department of transportation may investigate
23 whether a violation of section 321.216, 321.216A, or 321.216C
24 has occurred. The state department of transportation shall
25 return the card to the person to whom it was issued if an
26 investigation is not initiated or probable cause is not
27 established.

28 Sec. 5. Section 453A.5, subsection 1, Code 2014, is amended
29 to read as follows:

30 1. The alcoholic beverages division of the department of
31 commerce shall develop a tobacco compliance employee training
32 program not to exceed two hours in length for employees and
33 prospective employees of retailers, as defined in sections
34 453A.1 and 453A.42, to inform the employees about state and
35 federal laws and regulations regarding the sale of ~~cigarettes~~

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1 ~~and tobacco, tobacco products, alternative nicotine products,~~
2 ~~vapor products, and cigarettes~~ to persons under eighteen
3 years of age and compliance with and the importance of laws
4 regarding the sale of ~~cigarettes and tobacco, tobacco products,~~
5 ~~alternative nicotine products, vapor products, and cigarettes~~
6 to persons under eighteen years of age.

7 Sec. 6. Section 453A.36, subsection 7, Code 2014, is amended
8 to read as follows:

9 7. a. It shall be unlawful for a person other than a ~~holder~~
10 ~~of a retailer as defined in section 453A.1 or 453A.42 who holds~~
11 a valid retail permit, as applicable, to sell tobacco, tobacco
12 products, alternative nicotine products, vapor products, or
13 cigarettes at retail.

14 b. ~~No A~~ state permit holder shall not sell or distribute
15 cigarettes at wholesale to any person in the state of Iowa
16 who does not hold a permit authorizing the retail sale
17 of cigarettes or who does not hold a state permit as a
18 manufacturer, distributing agent, wholesaler, or distributor.

19 Sec. 7. Section 453A.36A, subsection 1, Code 2014, is
20 amended to read as follows:

21 1. ~~Beginning January 1, 1999, except~~ Except as provided in
22 section 453A.36, subsection 6, a retailer shall not sell or
23 offer for sale ~~cigarettes or tobacco, tobacco products, in a~~
24 ~~quantity of less than a carton,~~ alternative nicotine products,
25 vapor products, or cigarettes through the use of a self-service
26 display.

27 Sec. 8. Section 453A.39, Code 2014, is amended to read as
28 follows:

29 **453A.39 Tobacco ~~product,~~ tobacco products, alternative**
30 **nicotine products, vapor products, and cigarette samples —**
31 **restrictions — administration.**

32 1. A manufacturer, distributor, wholesaler, retailer, or
33 distributing agent, or agent thereof, shall not give away
34 cigarettes or tobacco products at any time in connection with
35 the manufacturer's, distributor's, wholesaler's, retailer's, or



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1 distributing agent's business or for promotion of the business
2 or product, except as provided in subsection 2.

3 2. *a.* All cigarette samples shall be shipped only to a
4 distributor that has a permit to stamp cigarettes or little
5 cigars with Iowa tax. All cigarette samples must have a
6 cigarette stamp. The manufacturer shipping samples under this
7 section shall send an affidavit to the director stating the
8 shipment information, including the date shipped, quantity, and
9 to whom the samples were shipped. The distributor receiving
10 the shipment shall send an affidavit to the director stating
11 the shipment information, including the date shipped, quantity,
12 and from whom the samples were shipped. These affidavits shall
13 be duly notarized and submitted to the director at the time of
14 shipment and receipt of the samples. The distributor shall
15 pay the tax on samples by separate remittance along with the
16 affidavit.

17 *b.* A manufacturer, distributor, wholesaler, retailer, or
18 distributing agent or agent thereof shall not give away any
19 ~~cigarettes or tobacco~~, tobacco products, alternative nicotine
20 products, vapor products, or cigarettes to any person under
21 eighteen years of age, or within five hundred feet of any
22 playground, school, high school, or other facility when such
23 facility is being used primarily by persons under age eighteen
24 for recreational, educational, or other purposes.

25 *c.* Proof of age shall be required if a reasonable person
26 could conclude on the basis of outward appearance that a
27 prospective recipient of a sample may be under eighteen years
28 of age.

29 Sec. 9. Section 453A.42, subsection 10, Code 2014, is
30 amended to read as follows:

31 10. "*Retailer*" means any person engaged in the business
32 of selling tobacco, tobacco products, alternative nicotine
33 products, or vapor products to ultimate consumers.

34 Sec. 10. Section 805.8C, subsection 3, Code 2014, is amended
35 to read as follows:

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1 3. ~~Smoking violations~~ Violations related to smoking, tobacco,
2 tobacco products, alternative nicotine products, vapor products,
3 and cigarettes.

4 a. For violations described in section 142D.9, subsection 1,
5 the scheduled fine is fifty dollars, and is a civil penalty,
6 and the criminal penalty surcharge under section 911.1 shall
7 not be added to the penalty, and the court costs pursuant
8 to section 805.9, subsection 6, shall not be imposed. If
9 the civil penalty assessed for a violation described in
10 section 142D.9, subsection 1, is not paid in a timely manner,
11 a citation shall be issued for the violation in the manner
12 provided in section 804.1. However, a person under age
13 eighteen shall not be detained in a secure facility for failure
14 to pay the civil penalty. The complainant shall not be charged
15 a filing fee.

16 b. For violations of section 453A.2, subsection 1, by an
17 employee of a retailer, the scheduled fine is as follows:

18 (1) If the violation is a first offense, the scheduled fine
19 is one hundred dollars.

20 (2) If the violation is a second offense, the scheduled fine
21 is two hundred fifty dollars.

22 (3) If the violation is a third or subsequent offense, the
23 scheduled fine is five hundred dollars.

24 c. For violations of section 453A.2, subsection 2, the
25 scheduled fine is as follows and is a civil penalty, and the
26 criminal penalty surcharge under section 911.1 shall not be
27 added to the penalty, and the court costs pursuant to section
28 805.9, subsection 6, shall not be imposed:

29 (1) If the violation is a first offense, the scheduled fine
30 is fifty dollars.

31 (2) If the violation is a second offense, the scheduled fine
32 is one hundred dollars.

33 (3) If the violation is a third or subsequent offense, the
34 scheduled fine is two hundred fifty dollars.

35 Sec. 11. EFFECTIVE UPON ENACTMENT. This Act, being deemed

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1 of immediate importance, takes effect upon enactment.

2 Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall
3 modify the title of chapter 453A to read "Cigarette and Tobacco
4 Taxes and Regulation of Alternative Nicotine Products and Vapor
5 Products".

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill relates to the regulation of alternative nicotine
10 products and vapor products. The bill defines "alternative
11 nicotine products" and "vapor products" separately from
12 cigarettes and tobacco products under Code chapter 453A
13 (cigarette and tobacco taxes).

14 The bill includes alternative nicotine products and
15 vapor products under the prohibitions relating to persons
16 under legal age. Under the bill, a person shall not sell,
17 give, or otherwise supply any tobacco, tobacco products,
18 alternative nicotine products, vapor products, or cigarettes
19 to any person under 18 years of age; and a person under 18
20 years of age is prohibited from smoking, using, possessing,
21 purchasing, or attempting to purchase any tobacco, tobacco
22 products, alternative nicotine products, vapor products,
23 or cigarettes. However, possession of tobacco, tobacco
24 products, alternative nicotine products, vapor products, or
25 cigarettes by an individual under 18 years of age does not
26 constitute a violation if the individual under 18 possesses
27 the tobacco, tobacco products, alternative nicotine products,
28 vapor products, or cigarettes as part of the individual's
29 employment and the individual is employed by a person who
30 holds a valid permit or who lawfully offers for sale or sells
31 cigarettes or tobacco products. Additionally, a person is
32 not guilty of a violation if conduct that would otherwise
33 constitute a violation is performed to assess compliance with
34 tobacco, tobacco products, alternative nicotine products, vapor
35 products, or cigarette laws under specified conditions.

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1 The bill amends provisions relating to the suspected use of
2 a falsified driver's license or nonoperator's identification
3 card to purchase cigarettes and tobacco products, to also apply
4 to the purchase of tobacco, alternative nicotine products and
5 vapor products; and amends provisions relating to the tobacco
6 compliance employee training program developed by the alcoholic
7 beverages division of the department of commerce to address,
8 in addition to cigarettes and tobacco products, tobacco,
9 alternative nicotine products, and vapor products.

10 The bill provides that it is unlawful for a person other
11 than a retailer who holds a valid retail permit to sell
12 tobacco, tobacco products, alternative nicotine products,
13 vapor products, or cigarettes at retail. The bill redefines
14 "retailer" to include those who sell, in addition to cigarettes
15 or tobacco products, tobacco, alternative nicotine products,
16 or vapor products. The bill makes applicable to tobacco,
17 alternative nicotine products, and vapor products, in addition
18 to tobacco products and cigarettes, the prohibition against a
19 retailer selling or offering for sale these products through
20 the use of a self-service display. The bill includes tobacco,
21 alternative nicotine products, and vapor products in the
22 prohibition against giving away samples of these products to
23 any person under 18 years of age, or within 500 hundred feet
24 of any playground, school, high school, or other facility when
25 such facility is being used primarily by persons under age 18
26 for recreational, educational, or other purposes.

27 The bill amends the headnote of the scheduled violations
28 provision relating to smoking to include violations relating
29 to smoking, tobacco, tobacco products, alternative nicotine
30 products, vapor products, and cigarettes.

31 The bill directs the Code editor to modify the title
32 of Code chapter 453A to read "Cigarette and Tobacco Taxes
33 and Regulation of Alternative Nicotine Products and Vapor
34 Products".

35 The bill takes effect upon enactment.



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House Study Bill 567 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED PUBLIC EMPLOYMENT
RELATIONS BOARD BILL)

A BILL FOR

1 An Act providing for the use of an electronic filing and notice
2 system by the public employment relations board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5178XD (7) 85
je/rj



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S.F. _____ H.F. _____

1 Section 1. Section 20.24, Code 2014, is amended to read as
2 follows:

3 **20.24 Notice and service — electronic filing system.**

4 ~~Any~~ The board shall by rule establish an electronic filing
5 system for the filing or service of any notice or other
6 document required under the provisions of this chapter shall
7 be in writing, but service thereof shall be sufficient if
8 mailed by restricted certified mail, return receipt requested,
9 addressed to the last known address of the intended recipient,
10 unless or permitted by law to be filed with or served on or
11 filed or served by the board. Unless otherwise provided in
12 this chapter by law, the board may by rule require the filing
13 or service of such notice or other document through the system,
14 notwithstanding the provisions of chapter 17A concerning
15 service or filing by mail. Refusal of restricted certified
16 mail by any party shall be considered service. Any notice
17 or other document not required by rule to be filed or served
18 through the system shall be filed or served in accordance with
19 chapter 17A. Unless otherwise provided in this chapter by law,
20 prescribed time periods shall commence from the date of the
21 receipt of the notice filing or service through the system.
22 ~~Any party may at any time execute and deliver an acceptance of~~
23 ~~service in lieu of mailed notice.~~

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill requires the public employment relations board to
28 establish by rule an electronic filing system for the filing or
29 service of any notice or other document required or permitted
30 by law to be filed with or served on or filed or served by
31 the board. The bill permits the board to require by rule,
32 unless otherwise provided by law, the filing or service of such
33 notice or other document through the system, notwithstanding
34 the provisions of the Iowa administrative procedure Act, Code
35 chapter 17A, concerning service or filing by mail. The bill

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1 specifies that any notice or other document not required by
2 rule to be filed or served through the system shall be filed or
3 served in accordance with Code chapter 17A. The bill provides
4 that prescribed time periods commence from the date of the
5 filing or service through the system, unless otherwise provided
6 by law. The bill strikes language in Code chapter 20, the
7 public employment relations Act, establishing service of notice
8 by mail as sufficient service of notice.



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Senate File 2055 - Introduced

SENATE FILE 2055
BY BEALL

A BILL FOR

1 An Act relating to financing work within drainage or levee
2 districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5421XS (4) 85
da/sc



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1 Section 1. Section 468.100, Code 2014, is amended to read
2 as follows:

3 **468.100 Monthly estimate — payment.**

4 1. The supervising engineer shall, on or before the tenth
5 day of each calendar month, furnish the contractor and file
6 with the auditor estimates for work done during the preceding
7 calendar month under the contract on each section, and the
8 auditor shall at once draw warrants in favor of such contractor
9 on the drainage funds of the district or give the contractor
10 an order directing the county treasurer to deliver to the
11 contractor or contractors improvement certificates, or drainage
12 bonds as the case may be, for ninety percent of the estimate
13 on work done. Such monthly estimates shall remain on file in
14 the office of the auditor as a part of the permanent records of
15 the district to which they relate. Drainage warrants, bonds,
16 or improvement certificates when so issued shall be in such
17 amounts as the auditor determines, not however, in amounts in
18 excess of ~~one~~ five thousand dollars.

19 2. All of the provisions of this section shall, when
20 applicable, apply to repair work and improvement work in the
21 same force and effect as to original construction.

22 Sec. 2. Section 468.291, Code 2014, is amended to read as
23 follows:

24 **468.291 Monthly estimate — payment.**

25 The engineer in charge of the work shall furnish the
26 contractor a monthly statement estimating the amount of work
27 done on each section and in each county. A duplicate copy of
28 the statement shall be filed with the auditor of each county
29 where the work is done. When the auditor files the statement,
30 the auditor shall draw a warrant for the contractor or give the
31 contractor an order directing the treasurer to deliver to the
32 contractor improvement certificates or drainage bonds, as the
33 case may be, in favor of the contractor for ninety percent of
34 the amount due from the auditor's county. Drainage warrants,
35 bonds, or improvement certificates when so issued shall be in

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1 such amounts as the auditor determines, but shall not be in
2 amounts in excess of ~~one~~ five thousand dollars.

3 EXPLANATION

4 The inclusion of this explanation does not constitute agreement with
5 the explanation's substance by the members of the general assembly.

6 BILL'S PROVISIONS — INCREASE IN CEILING AMOUNT FOR PAYMENT
7 OF CONSTRUCTION WORK. This bill increases the ceiling amount
8 for drainage warrants, bonds, or improvement certificates
9 issued for purposes of paying contractors for work performed
10 within a drainage or levee district (district), as approved by
11 a supervising engineer appointed by the district's governing
12 board. The amount of the ceiling is increased from \$1,000 to
13 \$5,000.

14 BACKGROUND — GOVERNANCE. Under Code chapter 468, drainage
15 or levee districts are established and managed by different
16 forms of governing boards. An intracounty district is
17 established and managed by a county board of supervisors in
18 the county where the district is located (Subchapter I, Part
19 1 — Code sections 468.1 through 468.200). An intercounty
20 district may be established in two or more counties and managed
21 by a joint board of supervisors (Subchapter II, Part 1 — Code
22 sections 468.270 through 468.304), and two or more intracounty
23 districts located in more than one county may be converted into
24 an intercounty district and again managed by a joint board of
25 supervisors (Subchapter II, Part 2 — Code sections 468.305
26 through 468.314). A drainage district may also be placed under
27 the management of a board of trustees (Subchapter III, Parts 1
28 through 3 — Code sections 468.500 through 468.539).

29 BACKGROUND — CONTRACTING FOR WORK. The governing board
30 is required to appoint an engineer to supervise work projects
31 in the district, sometimes referred to as a "supervising
32 engineer" (Code sections 468.33 and 468.287). When a district
33 is established the governing board must award a contract or
34 contracts to contractors bidding on the project according to
35 specific procedures (Code section 468.35). After the district

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1 is established, the governing board may order repairs to the
2 district or order an improvement to be made to the district
3 in a manner that expands, enlarges or otherwise increases its
4 capacity (Code section 468.126). The governing board must
5 award a contract or contracts to contractors bidding on the
6 project according to specific procedures (Code section 468.35).
7 BACKGROUND — PAYMENT. A district contracting for
8 construction work may pay a contractor for construction costs
9 by drawing a warrant or issuing a bond or drainage certificate
10 (Code sections 468.74, 468.145, and 468.285). The warrants may
11 be, and the bonds or certificates are, payable at a future date
12 with accrued interest. During construction the supervising
13 engineer must provide the county auditor with a monthly
14 estimate of work completed and payments due to the contractor.
15 The supervising engineer's estimate is used as the basis for
16 interim payments to the contractor for up to 90 percent of the
17 work completed. Upon the work's completion, the supervising
18 engineer files a report with the governing board which holds a
19 public hearing of affected landowners to determine if there are
20 objections prior to final settlement of amounts due under the
21 construction contract (Code sections 468.101 through 468.103,
22 and 468.292).



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Senate File 2056 - Introduced

SENATE FILE 2056
BY BEALL

A BILL FOR

1 An Act relating to whole grade sharing incentives for school
2 districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5569XS (2) 85
kh/rj



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1 Section 1. Section 257.11, subsection 2, paragraph c, Code
2 2014, is amended to read as follows:
3 c. Pupils attending class for all or a substantial portion
4 of a school day pursuant to a whole grade sharing agreement
5 executed under sections 282.10 through 282.12 shall be eligible
6 for supplementary weighting pursuant to this subsection. A
7 school district which executes a whole grade sharing agreement
8 and which adopts a resolution jointly with other affected
9 boards to study the question of undergoing a reorganization
10 or dissolution to take effect on or before July 1, ~~2014~~ 2019,
11 shall receive a weighting of one-tenth of the percentage of
12 the pupil's school day during which the pupil attends classes
13 in another district, attends classes taught by a teacher who
14 is jointly employed under section 280.15, or attends classes
15 taught by a teacher who is employed by another school district.
16 A district shall be eligible for supplementary weighting
17 pursuant to this paragraph for a maximum of three years.
18 Receipt of supplementary weighting for a second and third year
19 shall be conditioned upon submission of information resulting
20 from the study to the school budget review committee indicating
21 progress toward the objective of reorganization on or before
22 July 1, ~~2014~~ 2019.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill makes changes relating to whole grade sharing
27 incentives for school districts.

28 The bill amends a current Code provision that allows
29 school districts that execute a whole grade sharing agreement
30 and adopt a resolution to study the effect of undergoing
31 a reorganization or dissolution to receive supplementary
32 weighting of one-tenth of a percentage of a student's school
33 day during which the student attends classes in another
34 district, is taught by a teacher jointly employed, or attends
35 classes taught by a teacher employed by another district. The

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1 bill extends the time period to July 1, 2019, during which
2 the reorganization or dissolution must take place. This
3 supplementary weighting is available for a total of three
4 years. However, the second and third year of supplementary
5 weighting funding is dependent upon the school district's
6 progress toward reorganization.



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Senate File 2057 - Introduced

SENATE FILE 2057
BY BEALL

A BILL FOR

1 An Act providing for a study of the housing of sex offenders
2 and other hard-to-place individuals in need of a nursing
3 facility level of care, making an appropriation, and
4 including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5465XS (3) 85
ad/nh



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S.F. 2057

1 Section 1. DEPARTMENT OF HUMAN SERVICES — SEX OFFENDERS
2 REQUIRING CARE — REQUEST FOR PROPOSALS.

3 1. There is appropriated from the general fund of the
4 state to the department of human services for the fiscal year
5 beginning July 1, 2013, and ending June 30, 2014, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purposes designated:

8 For a study to assess placement of sex offenders or other
9 hard-to-place persons in the state requiring the type of
10 personal and medical care provided by a nursing facility,
11 including salaries, support, maintenance, and miscellaneous
12 purposes:

13 \$ 150,000

14 2. From the moneys appropriated in this section, the
15 department of human services shall utilize a request for
16 proposals process to select a private entity to study the
17 implementation of facilities in other states that provide care
18 for sex offenders and other hard-to-place persons needing
19 the type of care provided by a nursing facility, to develop
20 projections of the need for this type of facility in the state
21 over the next twenty years, and to develop cost projections and
22 financing considerations for facility options in the state.
23 The department of human services shall issue a request for
24 proposals within thirty days after the date of enactment of
25 this Act.

26 3. The study and report following the conclusion of the
27 study shall include all of the following information:

28 a. A summary of long-term care facilities operated in other
29 states for the purpose of caring for sex offenders or other
30 hard-to-place persons, whether the facility is operated by
31 a governmental entity or through a contract with a private
32 entity. The summary of the facilities shall include an
33 overview of ownership and operations, populations served,
34 financing sources and average costs per patient, public
35 financing limitations, security or staff training policies, and

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1 other considerations deemed appropriate. The summary shall
2 focus on models that may be adaptable to Iowa.

3 b. A projection of the number of persons in the state who,
4 in the next twenty years, would require the services of such a
5 facility due to sex offender status, a history of abusive or
6 violent behavior in previous nursing facility placements, or
7 other unmet psychiatric needs.

8 c. An analysis of options for the state based on the
9 research of out-of-state models and projected need. The
10 analysis shall identify potential ownership structures and
11 public or private facility options, including an identification
12 of state-owned facilities that may be underutilized and could
13 be reconfigured. The analysis shall also include management
14 structures, whether it be public or private, potential sources
15 of revenue and limitations on those sources, the need for
16 enhanced security or staff training for safety, and other
17 considerations deemed appropriate.

18 4. A report on the results of the study produced pursuant to
19 this section shall be submitted to the governor, the general
20 assembly, and the department of human services by November 1,
21 2014.

22 5. The departments of human services, corrections,
23 inspections and appeals, and aging, the state public defender,
24 the office of ombudsman, the office of the state long-term care
25 ombudsman, and the judicial branch shall provide information
26 for purposes of the study as requested by the private entity
27 conducting the study. However, any information which is
28 confidential shall continue to be maintained as confidential.

29 6. Notwithstanding section 8.33, moneys appropriated in
30 this section that remain unencumbered or unobligated at the
31 close of the fiscal year for which appropriated shall not
32 revert but shall remain available for expenditure for the
33 purposes designated until the close of the succeeding fiscal
34 year.

35 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of



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1 immediate importance, takes effect upon enactment.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill provides for a study concerning housing for sex
6 offenders and other hard-to-place individuals who are in need
7 of a nursing facility level of care.

8 The bill appropriates \$150,000 from the general fund to the
9 department of human services (DHS) for FY 2013-2014 for a study
10 to assess placement of sex offenders or other hard-to-place
11 persons who are in need of a nursing facility level of care for
12 personal or medical reasons. The bill directs DHS to conduct
13 a request for proposals process, within 30 days of enactment
14 of the bill, to select a private entity to study the issue.
15 The bill states that the study and the report on the study
16 must include a summary of long-term care facilities operated
17 in other states for the purpose of caring for sex offenders
18 or other hard-to-place persons, a 20-year projection of the
19 need for this type of facility in this state, and an analysis
20 of options for the state for this type of facility as well
21 as cost projections and financing considerations for such a
22 facility. The bill requires a report on the results of the
23 study generated from the private entity to be submitted to the
24 governor, the general assembly, and DHS by November 1, 2014.
25 The bill takes effect upon enactment.



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Senate File 2058 - Introduced

SENATE FILE 2058
BY BEALL

A BILL FOR

1 An Act concerning the definition of off-road utility vehicle
2 for purposes of regulation by the department of natural
3 resources.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5295SS (4) 85
dea/nh



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S.F. 2058

1 Section 1. Section 321I.1, subsection 17, paragraph a, Code
2 2014, is amended to read as follows:

3 a. *"Off-road utility vehicle"* means a motorized vehicle with
4 not less than four and not more than eight nonhighway tires or
5 rubberized tracks ~~that is limited in engine displacement to~~
6 ~~less than one thousand five hundred cubic centimeters and in~~
7 ~~total dry weight to not more than two thousand pounds and that~~
8 has a seat that is of bucket or bench design, not intended to
9 be straddled by the operator, and a steering wheel or control
10 levers for control. *"Off-road utility vehicle"* includes the
11 following vehicles:

12 (1) *"Off-road utility vehicle — type 1"* means an off-road
13 utility vehicle with a total dry weight of one thousand two
14 hundred pounds or less and a width of fifty inches or less.

15 (2) *"Off-road utility vehicle — type 2"* means an off-road
16 utility vehicle, other than a type 1 off-road utility vehicle,
17 with a total dry weight of two thousand pounds or less, and a
18 width of sixty-five inches or less.

19 (3) *"Off-road utility vehicle — type 3"* means an off-road
20 utility vehicle with a total dry weight of more than two
21 thousand pounds or a width of more than sixty-five inches, or
22 both.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill revises the definition of "off-road utility
27 vehicle" in Code chapter 321I, which provides for the
28 registration and regulation of all-terrain and off-road utility
29 vehicles by the department of natural resources and authorizes
30 and limits the use of those vehicles on designated riding
31 areas and trails. "Off-road utility vehicle" is defined as a
32 motorized vehicle with not less than four and not more than
33 eight nonhighway tires or rubberized tracks, a bucket or bench
34 seat, and a steering wheel or control levers. The current
35 definition of "off-road utility vehicle" includes vehicles with

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1 an engine displacement of less than 1,500 cubic centimeters and
2 a total dry weight of less than 2,000 pounds. The bill strikes
3 the limitation on engine size and establishes three off-road
4 utility vehicle classifications based on weight and width as
5 follows:

6 "Off-road utility vehicle — type 1" includes vehicles with
7 a total dry weight of 1,200 pounds or less and a width of 50
8 inches or less.

9 "Off-road utility vehicle — type 2" includes vehicles,
10 other than type 1 vehicles, with a total dry weight of 2,000
11 pounds or less and a width of 65 inches or less.

12 "Off-road utility vehicle — type 3" includes vehicles with
13 a total dry weight of more than 2,000 pounds or a width of more
14 than 65 inches, or both.



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Senate File 2059 - Introduced

SENATE FILE 2059
BY BEALL

A BILL FOR

1 An Act relating to the definition of motorized bicycle.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5543SS (2) 85
dea/nh



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S.F. 2059

1 Section 1. Section 321.1, subsection 40, paragraph b, Code
2 2014, is amended to read as follows:
3 b. "*Motorized bicycle*" means a motor vehicle having a saddle
4 or a seat for the use of a rider, designed to travel on not more
5 than three wheels in contact with the ground, and not capable
6 of operating at a speed in excess of ~~thirty~~ thirty-nine miles
7 per hour on level ground unassisted by human power.

8 EXPLANATION

9 The inclusion of this explanation does not constitute agreement with
10 the explanation's substance by the members of the general assembly.

11 Currently, "motorized bicycle", commonly referred to as
12 a moped, is defined as a motor vehicle having a saddle or
13 seat for the rider, designed to travel on not more than three
14 wheels, and not capable of operating at a speed in excess of 30
15 miles per hour on level ground unassisted by human power. This
16 bill revises the definition by increasing the maximum speed
17 capability to 39 miles per hour.



Iowa General Assembly
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Senate File 2060 - Introduced

SENATE FILE 2060
BY PETERSEN

A BILL FOR

1 An Act relating to the issuance of lifetime hunting licenses to
2 Iowa residents.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5607SS (5) 85
lh/nh



Iowa General Assembly
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S.F. 2060

1 Section 1. NEW SECTION. 483A.4A Lifetime hunting license —
2 residents sixty-five years of age or older.

3 A person who is a resident of this state and who is or will
4 turn sixty-five years of age or older is eligible to apply for
5 and obtain a lifetime hunting license under section 483A.1,
6 subsection 1, paragraph "j". The person may apply for the
7 lifetime hunting license beginning on the first day of the
8 first month of the calendar year in which the person will
9 attain the age of sixty-five.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill provides that an Iowa resident who is or will turn
14 65 years of age or older is eligible to apply for and obtain
15 a lifetime hunting license. The person may apply for the
16 lifetime license beginning on the first day of the first month
17 of the calendar year in which the person will attain the age of
18 65. The fee for a lifetime license under Code section 483A.1,
19 subsection 1, paragraph "j" is \$50.50.



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Senate File 2061 - Introduced

SENATE FILE 2061
BY JOHNSON

A BILL FOR

1 An Act requiring immediate parental notification for reported
2 incidents of harassment or bullying in school.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5222XS (4) 85
je/nh



Iowa General Assembly
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S.F. 2061

1 Section 1. Section 280.28, subsection 3, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *h.* A procedure for the immediate
4 notification of the parents or guardians of all students
5 directly involved in a reported incident of harassment or
6 bullying. The procedure may include an exception to the
7 notification requirement if a school official reasonably
8 believes notification would subject a student to abuse or
9 neglect.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill requires school antiharassment and antibullying
14 policies to include a procedure for the immediate notification
15 of the parents or guardians of all students directly involved
16 in a reported incident of harassment or bullying. The
17 procedure may include an exception to the notification
18 requirement if a school official reasonably believes
19 notification would subject a student to abuse or neglect.



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Senate File 2062 - Introduced

SENATE FILE 2062
BY JOHNSON

A BILL FOR

1 An Act relating to dropout prevention programs by modifying
2 certain definitions, modifying the purposes for which
3 dropout prevention funding may be used, and including
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5755XS (2) 85
md/nh



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S.F. 2062

1 Section 1. Section 257.39, subsection 2, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. *f.* Children toward whom harassment or
4 bullying, as defined in section 280.28, is directed.
5 Sec. 2. Section 257.41, subsection 2, Code 2014, is amended
6 by adding the following new paragraph:
7 NEW PARAGRAPH. *e.* Harassment and bullying prevention
8 programs, training, and initiatives.
9 Sec. 3. APPLICABILITY. This Act applies to school budget
10 years beginning on or after July 1, 2015.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with
13 the explanation's substance by the members of the general assembly.

14 This bill relates to dropout prevention programs by
15 modifying certain definitions and modifying the purposes for
16 which dropout prevention funding may be used.

17 Under current law, school districts may request to use
18 a modified supplemental amount for programs for returning
19 dropouts and dropout prevention. The budget of an approved
20 program for returning dropouts and dropout prevention for a
21 school district, after subtracting funds received from other
22 sources for that purpose, shall be funded annually on a basis
23 of one-fourth or more from the district cost of the school
24 district and up to three-fourths by an increase in supplemental
25 state aid. Code section 257.39(2) defines "potential dropouts"
26 as resident pupils who are enrolled in a public or nonpublic
27 school who demonstrate poor school adjustment as indicated by
28 two or more specified characteristics. The bill adds children
29 toward whom harassment or bullying is directed to that list of
30 specified characteristics.

31 Code section 257.41 specifies the appropriate uses of
32 the returning dropout and dropout prevention program funding
33 provided to school districts for an approved dropout prevention
34 program. The bill adds harassment and bullying prevention
35 programs, training, and initiatives to the list of appropriate

LSB 5755XS (2) 85

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md/nh

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S.F. 2062

1 uses.

2 The bill applies to school budget years beginning on or after
3 July 1, 2015.



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Senate Joint Resolution 2001 - Introduced

SENATE JOINT RESOLUTION 2001
BY BEALL

SENATE JOINT RESOLUTION

1 A Joint Resolution urging the United States government to
2 renew its commitment to farmers, lower fuel prices, and the
3 environment by supporting a robust and sustainable renewable
4 fuel standard, and including effective date provisions.
5 WHEREAS, in accordance with the federal policy including
6 the Energy Policy Act of 2005, Pub. L. No. 109-58, the
7 United States government has demonstrated its commitment to
8 the long-term policy of increasing the production of clean
9 renewable fuels according to a renewable fuel standard commonly
10 referred to as the RFS, by enabling the increased domestic
11 production and use of renewable fuels, which include renewable
12 biofuels such as ethanol, biodiesel, and cellulosic and
13 advanced biofuels; and
14 WHEREAS, the renewable fuel standard provides the foundation
15 for reducing this nation's dependence on foreign sources of
16 oil, reducing the price of transportation fuels, reducing
17 transportation fuel emissions, increasing rural incomes,
18 encouraging the development and expansion of new advanced
19 biofuels, and consequently promoting economic growth; and
20 WHEREAS, the renewable fuel standard assists in bringing new
21 technologies to farmers and consumers, and points the country
22 in the direction of energy independence; and
23 WHEREAS, international turmoil has repeatedly caused
24 increased oil spikes and increased transportation costs for
25 consumers, including increased costs attributable to the
26 transportation of food and other goods; and
27 WHEREAS, biofuels reduce greenhouse gas emissions; and
28 WHEREAS, Iowa's biofuels industry has added over eight
29 billion dollars to Iowa's economy and generated two billion
30 dollars in new household income; and
31 WHEREAS, approximately ninety thousand Iowa farmers support

TLSB 5532SS (2) 85
da/rj



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Senate Joint Resolution 2001 - Introduced

32 their families and reinvigorate rural communities through
33 innovative and high-tech agricultural production; and
34 WHEREAS, the United States environmental protection agency
35 is responsible for establishing and implementing the renewable
36 fuel standard, including the requirement that certain volumes
37 of various types of biofuels be blended in transportation fuels
38 each year; and
39 WHEREAS, the United States environmental protection agency
40 recently proposed reducing the volume levels of ethanol and
41 biodiesel in the renewable fuel standard, in direct conflict
42 with the statute; and
43 WHEREAS, the United States environmental protection agency's
44 proposal is estimated to cause the loss of thirty-seven
45 thousand four hundred ethanol-related jobs and the loss of
46 seven thousand five hundred biodiesel-related jobs; and
47 WHEREAS, the United States environmental protection agency's
48 proposal will cause a reduction in the price of corn below the
49 cost of production with a negative economic impact on Midwest
50 farm families, agribusinesses, and rural communities; and
51 WHEREAS, the United States environmental protection
52 agency's proposal will cause a substantial reduction in the
53 long-term investment in biofuels infrastructure and a reduction
54 in investments in further energy innovation for ethanol,
55 biodiesel, advanced biofuels, and cellulosic biofuels; NOW
56 THEREFORE,
57 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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S.J.R. 2001

1 Section 1. The United States government is urged to
2 renew its commitment to farmers, lower fuel prices, and the
3 environment by supporting a robust and sustainable renewable
4 fuel standard and to use all efforts to meet the highest
5 possible renewable fuel volume requirements set forth in the
6 current renewable fuel standard in order to ensure that this
7 nation diversifies its energy portfolio.

8 Sec. 2. The Chief Clerk of the House of Representatives
9 shall deliver copies of this joint resolution to the Honorable
10 Barack Obama, President of the United States, to the Honorable
11 Gina McCarthy, Administrator of the United States Environmental
12 Protection Agency, to the Honorable Tom Vilsack, Secretary of
13 Agriculture of the United States, and to each member of Iowa's
14 congressional delegation.

15 Sec. 3. This Joint Resolution, being deemed of immediate
16 importance, takes effect upon enactment.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 This joint resolution urges the United States government to
21 renew its commitment to farmers, lower fuel prices, and the
22 environment by supporting a robust and sustainable renewable
23 fuel standard (RFS) and use all efforts to meet the highest
24 possible renewable fuel volume requirements set forth in the
25 current RFS in order to ensure that this nation diversifies its
26 energy portfolio.

27 The joint resolution takes effect upon enactment, which
28 takes place after passage of the joint resolution by both
29 houses of the Iowa general assembly and upon approval by the
30 governor of the state of Iowa.



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Senate Resolution 102 - Introduced

SENATE RESOLUTION NO. 102

BY BEALL and KAPUCIAN

1 A Resolution honoring the over 200 years of peace,
2 prosperity, and kinship between the peoples of
3 Canada and the United States, and recognizing
4 February 4, 2014, as Canada Day at the Iowa Capitol.
5 WHEREAS, Canada and the United States share a
6 5,500-mile border, the world's longest unmilitarized
7 border, over which 300,000 people cross between the
8 countries every day; and
9 WHEREAS, our two nations share a peaceful and
10 democratic heritage which spans centuries; and
11 WHEREAS, with these shared traditions, values, and
12 heritage our two nations have fostered one of the most
13 successful international relationships in the modern
14 world; and
15 WHEREAS, acting as partners in peace and allies in
16 war, for over 100 years Canada and the United States
17 have stood together, promoting mutual prosperity and
18 fighting tyranny and terrorism in a partnership that
19 remains resolute today; and
20 WHEREAS, the United States is Canada's largest
21 export market, with two-way trade in goods and
22 services between the nations totaling \$710 billion, or
23 approximately \$1.4 million every minute, reflecting the
24 deep integration of our nations' economies; and
25 WHEREAS, the relationship between Canada and
26 Iowa is equally strong, consisting of a complex and
27 growing network of social, economic, and even familial
28 ties; and

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S.R. 102

1 WHEREAS, it is estimated that over 100,000 jobs
2 in Iowa are supported by Canada-United States trade
3 and 3,700 Iowans are employed by Canadian-owned
4 businesses; and

5 WHEREAS, Canada is Iowa's top export market,
6 with Iowa exports to Canada valued annually at \$4.3
7 billion and Iowa imports from Canada valued at \$3.1
8 billion; and

9 WHEREAS, Iowa exports to Canada include steel
10 products, oilseed cake and meal, organic chemicals,
11 air conditioning and refrigeration units, and
12 tractors, while Iowa imports include natural gas, oils,
13 fertilizers, live animals, and steel products; NOW
14 THEREFORE,

15 BE IT RESOLVED BY THE SENATE, That the Senate
16 honors the relationships between the peoples and the
17 governments of Canada, the United States, and Iowa,
18 friends and neighbors in peace, allies in war, and
19 partners in economic prosperity; and

20 BE IT FURTHER RESOLVED, That in honor of our strong
21 and growing relationship, the Senate recognizes
22 Tuesday, February 4, 2014, as Canada Day at the Iowa
23 Capitol.

LSB 5689SS (3) 85

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2/2



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Senate Study Bill 3108 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

- 1 An Act relating to fantasy sports contests.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TL5B 5133XC (5) 85
ec/nh



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S.F. _____

1 Section 1. Section 99B.11, subsection 2, Code 2014, is
2 amended by adding the following new paragraph:
3 NEW PARAGRAPH. f. A fantasy or simulation sports contest
4 in which all prizes and awards offered to winning participants
5 are established and made known to the participants in advance
6 of the contest and their value is not determined by the
7 number of participants or the amount of any fees paid by the
8 participants. All winning outcomes in such contest shall
9 reflect the relative knowledge and skill of the participants
10 and shall be determined predominantly by accumulated
11 statistical results of the performance of individuals,
12 including athletes in the case of sports events, in multiple
13 actual sporting or other events, and no winning outcome shall
14 be based on the score, point spread, or any performance or
15 performances of any single actual team or combination of such
16 teams or solely on any single performance of an individual
17 athlete in any single actual sporting or other event.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill authorizes the paying of awards and prizes to
22 participants in fantasy sports contests.

23 Code section 99B.11, concerning bona fide contests, is
24 amended to provide that a fantasy or simulation sports contest
25 is a bona fide contest, allowing the payment of awards to
26 persons winning the contest, if certain conditions are met.
27 The bill provides that a fantasy sports contest is a bona
28 fide contest if all prizes and awards offered to winning
29 participants are established and made known in advance of the
30 contest, all winning outcomes reflect the relative knowledge
31 and skill of the participants and are determined predominantly
32 by accumulated statistical results of the performance of
33 individuals in multiple actual sporting events, and no winning
34 outcome is based on the score, or performance of any single
35 actual team or combination of such teams or solely on any

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1 single performance of an individual athlete in any single
2 actual sporting or other event.



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Senate Study Bill 3109 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
COMMERCE/CREDIT UNION
DIVISION BILL)

A BILL FOR

1 An Act relating to matters under the purview of the credit
2 union division of the department of commerce.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5580DP (3) 85
rn/rj



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S.F. _____ H.F. _____

1 Section 1. **NEW SECTION. 533.209A Prohibited relationships.**

2 A director shall not be related by consanguinity or affinity
3 within the third degree to any person employed by a state
4 credit union in a senior management position. For purposes
5 of this section, "*senior management position*" includes a state
6 credit union's chief executive officer, president, or manager;
7 assistant chief executive officer, assistant president, vice
8 president, or assistant manager; or chief financial officer or
9 treasurer.

10 Sec. 2. Section 533.301, subsection 5, paragraph i, Code
11 2014, is amended to read as follows:

12 *i.* Corporate bonds as defined by and subject to terms
13 and conditions imposed by the superintendent, provided that
14 the superintendent shall not approve investment in corporate
15 bonds unless the bonds are ~~rated in the two highest grades~~
16 ~~of corporate bonds by a nationally accepted rating agency~~
17 investment grade. For purposes of this paragraph, "*investment*
18 *grade*" means the issuer of a security has an adequate capacity
19 to meet the financial commitments under the security for the
20 projected life of the asset or exposure, even under adverse
21 economic conditions. An issuer has adequate capacity to
22 meet the financial commitments of a security if the risk of
23 default by the obligor is low and the full and timely repayment
24 of principal and interest on the security is expected. A
25 state credit union may consider any or all of the following
26 nonexhaustive or nonmutually exclusive factors, to the extent
27 appropriate, with respect to the credit risk of a security:

- 28 (1) Credit spreads.
29 (2) Securities-related research.
30 (3) Internal or external credit risk assessments.
31 (4) Default statistics.
32 (5) Inclusion on an index.
33 (6) Priorities and enhancements.
34 (7) Price, yield, or volume.
35 (8) Asset class-specific factors.

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rn/rj

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1 Sec. 3. Section 533.301, subsection 28, Code 2014, is
2 amended to read as follows:
3 28. Sell, to persons in the field of membership, negotiable
4 checks, including traveler's checks; money orders; and other
5 similar money transfer instruments including international
6 and domestic electronic fund transfers and remittance ~~checks~~
7 transfers.
8 Sec. 4. NEW SECTION. **533.405A Involuntary dissolution.**
9 1. If the superintendent has taken over management of the
10 property and business of a state credit union pursuant to
11 section 533.502, and determined that the state credit union
12 cannot be reorganized or merged with another credit union, the
13 superintendent may move for the involuntary dissolution of the
14 state credit union and shall apply to the district court for
15 appointment as receiver with the authority to dissolve the
16 state credit union.
17 2. If a state credit union is in the process of a
18 voluntary dissolution, and pursuant to section 533.405,
19 the superintendent finds that the state credit union is not
20 making reasonable progress toward terminating its affairs, the
21 superintendent may move for the involuntary dissolution of the
22 state credit union and shall apply to the district court for
23 appointment as receiver with the authority to dissolve the
24 state credit union.
25 3. The provisions of section 533.503 shall apply when the
26 superintendent is acting as receiver, and as receiver the
27 superintendent shall distribute the assets pursuant to the
28 provisions of section 533.404.
29 Sec. 5. Section 533.503, Code 2014, is amended by adding the
30 following new subsections:
31 NEW SUBSECTION. 2A. The superintendent as receiver may sue
32 and defend in the superintendent's name with respect to the
33 affairs of a state credit union.
34 NEW SUBSECTION. 5. The superintendent as receiver shall
35 hold all records of the receivership for a period of two years

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1 after the court decree dissolving the state credit union
2 and discharging the receiver, and at the termination of the
3 two-year period, the records may then be destroyed.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill relates to matters under the purview of the credit
8 union division of the department of commerce.

9 The bill provides that a director shall not be related
10 by consanguinity or affinity within the third degree to any
11 person employed by a state credit union in a senior management
12 position. The bill defines "senior management position" to
13 include a credit union's chief executive officer, president,
14 or manager; assistant chief executive officer, assistant
15 president, vice president, or assistant manager; or chief
16 financial officer or treasurer.

17 The bill modifies provisions relating to investments by a
18 state credit union in corporate bonds to delete a requirement
19 that the bonds are rated in the two highest grades of corporate
20 bonds by a nationally accepted rating agency and substituting
21 the requirement that the bonds be considered investment grade.
22 The bill defines "investment grade" to mean the issuer of
23 a security has an adequate capacity to meet the financial
24 commitments under the security for the projected life of the
25 asset or exposure, even under adverse economic conditions. The
26 bill provides that an issuer has adequate capacity to meet the
27 financial commitments of a security if the risk of default
28 by the obligor is low and the full and timely repayment of
29 principal and interest on the security is expected. The bill
30 specifies a list of nonexhaustive or nonmutually exclusive
31 factors which a credit union may consider, to the extent
32 appropriate, with respect to the credit risk of a security.
33 The bill changes a reference to "remittance checks" to
34 "remittance transfers" regarding the ability of a state credit
35 union to sell, to persons in the field of membership, specified

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1 checks, money orders, and other similar money transfer
2 instruments.

3 Additionally, the bill establishes new involuntary
4 dissolution provisions relating to state credit unions. The
5 bill provides that if the superintendent has taken over
6 management of the property and business of a state credit
7 union and determined that the state credit union cannot
8 be reorganized or merged with another credit union, the
9 superintendent may move for the involuntary dissolution of the
10 state credit union and shall apply to the district court for
11 appointment as receiver with the authority to dissolve the
12 state credit union. Further, the bill provides that if a state
13 credit union is in the process of a voluntary dissolution, and
14 the superintendent of credit unions finds that the state credit
15 union is not making reasonable progress toward terminating
16 its affairs, the superintendent may move for the involuntary
17 dissolution of the state credit union and shall apply to the
18 district court for appointment as receiver with the authority
19 to dissolve the state credit union.

20 The bill adds two new provisions applicable to the
21 superintendent acting as receiver. The bill provides that
22 the superintendent as receiver may sue and defend in the
23 superintendent's name with respect to the affairs of a state
24 credit union, and shall hold all records of the receivership
25 for a period of two years after the court decree dissolving the
26 state credit union and discharging the receiver, which, at the
27 termination of the two-year period, may be destroyed.



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Senate Study Bill 3110 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
TRANSPORTATION BILL)

A BILL FOR

1 An Act relating to matters under the purview of the department
2 of transportation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:



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1 DIVISION I

2 HIGHWAYS

3 Section 1. Section 306.3, unnumbered paragraph 1, Code
4 2014, is amended to read as follows:

5 As used in this chapter or in any chapter of the Code
6 relating to highways, except as otherwise specified:

7 Sec. 2. Section 306C.1, subsection 2, Code 2014, is amended
8 to read as follows:

9 2. "*Interstate highway*" includes "*interstate road*" and
10 "*interstate system*" and means any highway of the primary
11 national highway system at any time officially designated as a
12 part of the national system of interstate and defense highways
13 by the department and approved by the appropriate authority of
14 the federal government.

15 Sec. 3. Section 306C.1, Code 2014, is amended by adding the
16 following new subsection:

17 NEW SUBSECTION. 5. "*National highway system*" means the
18 network designated by the federal highway administration in
19 consultation with the state department of transportation, which
20 consists of interconnected urban and rural principal arterials
21 and highways that serve major population centers, ports,
22 airports, public transportation facilities, other intermodal
23 transportation facilities, and other major travel destinations;
24 meet national defense requirements; and serve interstate and
25 interregional travel.

26 Sec. 4. Section 306C.2, unnumbered paragraph 1, Code 2014,
27 is amended to read as follows:

28 A person shall not establish, operate, or maintain a
29 junkyard, any portion of which is within one thousand feet of
30 the nearest edge of the right-of-way of any interstate highway
31 on the national highway system, except:

32 Sec. 5. Section 306C.3, Code 2014, is amended to read as
33 follows:

34 **306C.3 Junkyards lawfully in existence.**

35 1. Any junkyard located outside a zoned or unzoned

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dea/nh

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1 industrial area lawfully in existence on July 1, 1972,
2 which is within one thousand feet of the nearest edge of
3 the right-of-way and visible from the main-traveled portion
4 of any highway on the interstate system shall be screened,
5 if feasible, by the department, or by the owner under rules
6 and direction of the department, at locations on the highway
7 right-of-way or in areas acquired for such purposes outside
8 the right-of-way in order to obscure the junkyard from the
9 main-traveled way of such highways.

10 2. Any junkyard located outside a zoned or unzoned
11 industrial area lawfully in existence on July 1, 2014, which
12 is within one thousand feet of the nearest edge of the
13 right-of-way and visible from the main-traveled portion of
14 any noninterstate highway which is on the national highway
15 system shall be screened, if feasible, by the department, or
16 by the owner under rules and direction of the department, at
17 locations on the highway right-of-way or in areas acquired for
18 such purposes outside the right-of-way in order to obscure the
19 junkyard from the main-traveled way of such highways.

20 Sec. 6. Section 306C.10, subsections 1, 2, 10, 13, and 20,
21 Code 2014, are amended to read as follows:

22 1. "Adjacent area" means an area which is contiguous to
23 and within six hundred sixty feet of the nearest edge of the
24 right-of-way of any ~~interstate, freeway primary, or primary~~
25 highway.

26 2. "Advertising device" includes any outdoor sign, display,
27 device, figure, painting, drawing, message, placard, poster,
28 billboard, or any other device designed, intended, or used to
29 advertise or give information in the nature of advertising, and
30 having the capacity of being visible from the traveled portion
31 of any ~~interstate or primary~~ highway.

32 10. "Interstate highway" includes "interstate road" and
33 "interstate system" and means any highway of the ~~primary~~
34 national highway system at any time officially designated as a
35 part of the national system of interstate and defense highways

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1 by the department and approved by the appropriate authority of
2 the federal government.

3 13. *"Primary highways"* ~~includes the entire primary system as~~
4 ~~officially designated, or as may hereafter be so designated,~~
5 ~~by the department~~ means all highways on the national highway
6 system and all highways on the federal-aid primary system as it
7 existed on June 1, 1991.

8 20. *"Unzoned commercial or industrial area"* means those areas
9 not zoned by state or local law, regulation, or ordinance,
10 which are occupied by one or more commercial or industrial
11 activities, and the land along the ~~interstate highways and~~
12 primary highways for a distance of seven hundred fifty feet
13 immediately adjacent to the activities. All measurements
14 shall be from the outer edge of the regularly used buildings,
15 parking lots, storage, or processing areas of the activities
16 and shall be parallel to the edge of pavement of the highway.
17 Measurements shall not be from the property line of the
18 activities unless that property line coincides with the limits
19 of the activities. Unzoned commercial or industrial areas
20 shall not include land on the opposite side of the highway from
21 the commercial or industrial activities.

22 Sec. 7. Section 306C.10, Code 2014, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 12A. *"National highway system"* means the
25 network designated by the federal highway administration in
26 consultation with the state department of transportation, which
27 consists of interconnected urban and rural principal arterials
28 and highways that serve major population centers, ports,
29 airports, public transportation facilities, other intermodal
30 transportation facilities, and other major travel destinations;
31 meet national defense requirements; and serve interstate and
32 interregional travel.

33 Sec. 8. Section 306C.12, Code 2014, is amended to read as
34 follows:

35 **306C.12 None visible from highway.**



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1 An advertising device shall not be constructed or
2 reconstructed beyond the adjacent area in unincorporated areas
3 of the state if it is visible from the main-traveled way of
4 any ~~interstate or~~ primary highway except for advertising
5 devices permitted in section 306C.11, subsections 1 and 2.
6 Any advertising device permitted beyond an adjacent area in
7 unincorporated areas of the state shall be subject to the
8 applicable permit provisions of section 306C.18.

9 Sec. 9. Section 306C.13, subsections 2, 3, 4, and 5, Code
10 2014, are amended to read as follows:

11 2. Advertising devices located within the adjacent
12 area of nonfreeway primary highways shall not be erected or
13 maintained closer to another advertising device facing in the
14 same direction than one hundred feet if inside the corporate
15 limits of a municipality. No advertising device, other than
16 as excepted or permitted by ~~subsections~~ subsection 4, 5, or 6
17 ~~of this section~~, shall be located within the triangular area
18 formed by the line connecting two points each fifty feet back
19 from the point where the street right-of-way lines of the
20 main-traveled way and the intersecting street meet, or would
21 meet, if extended.

22 3. Advertising devices located within the adjacent area of
23 nonfreeway primary highways shall not be erected or maintained
24 closer to another advertising device facing in the same
25 direction than three hundred feet if outside the corporate
26 limits of a municipality. No advertising device, other than
27 those excepted or permitted by ~~subsections~~ subsection 4, 5, or
28 6 ~~of this section~~, shall be located within the triangular area
29 formed by a line connecting two points each one hundred feet
30 back from the point where the street right-of-way lines of the
31 main-traveled way and the intersecting street meet, or would
32 meet, if extended.

33 4. The distance spacing measurements fixed by subsections 2
34 and 3 ~~of this section~~ shall not apply to advertising devices
35 which are separated by a building in such a manner that only

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1 one advertising device located within the minimum spacing
2 distance is visible from a highway at any one time.
3 5. Within a triangular area, as defined by subsections 2
4 and 3 of ~~this section~~, occupied by a building or structure, no
5 advertising device shall be erected or maintained closer to the
6 intersection than the building or structure itself, except that
7 a wall advertising device may be attached to said building or
8 structure not to protrude more than twelve inches.
9 Sec. 10. Section 306C.13, subsection 8, paragraph g, Code
10 2014, is amended to read as follows:
11 g. The standards contained in this section pertaining to
12 size, lighting, and spacing shall not apply to advertising
13 devices erected or maintained within six hundred sixty feet
14 of the right-of-way of those portions of the interstate
15 highway system exempted from control under chapter 306B by
16 authority of section 306B.2, subsection 4, nor to advertising
17 devices erected and maintained within adjacent areas along
18 noninterstate primary highways within zoned and unzoned
19 commercial and industrial areas, unless said advertising
20 devices were erected subsequent to July 1, 1972.

21 DIVISION II

22 TRANSPORTATION DEPARTMENT AND COMMISSION

23 DEPARTMENT OF TRANSPORTATION

24 Sec. 11. Section 307.8, Code 2014, is amended to read as
25 follows:

26 **307.8 Expenses.**

27 ~~Members of the commission, the~~ The director, and other
28 employees of the department shall be allowed their actual and
29 necessary expenses incurred in the performance of their duties.
30 All expenses and salaries shall be paid from appropriations
31 for such purposes, and the department shall be subject to the
32 budget requirements of chapter 8.

33 Sec. 12. Section 307.12, subsection 1, paragraphs g and p,
34 Code 2014, are amended to read as follows:

35 g. Appoint the ~~deputy director of transportation and the~~

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1 administrators ~~of~~ within the department.

2 ~~p. Administer chapter 327J~~ Apply for, accept, and expend
3 federal, state, or private funds for the improvement of
4 transportation.

5 Sec. 13. Section 307.12, subsection 1, Code 2014, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. *q.* Coordinate the transportation research
8 activities within the department.

9 Sec. 14. Section 307.12, subsection 2, Code 2014, is amended
10 to read as follows:

11 2. If in the interest of the state, the director may allow
12 a subsistence expense to an employee under the supervision of
13 the department's administrator responsible for highways highway
14 programs and activities for continuous stay in one location
15 while on duty away from established headquarters and place of
16 domicile for a period not to exceed forty-five days; and may
17 allow automobile expenses in accordance with section 8A.363,
18 for moving an employee and the employee's family from place of
19 present domicile to new domicile, and actual transportation
20 expense for moving of household goods. The household goods for
21 which transportation expense is allowed shall not include pets
22 or animals.

23 Sec. 15. Section 307.21, subsection 1, unnumbered paragraph
24 1, Code 2014, is amended to read as follows:

25 The department's administrator ~~of administrative services~~
26 responsible for the operations and finances of the department
27 shall:

28 Sec. 16. Section 307.21, subsection 7, Code 2014, is amended
29 to read as follows:

30 7. The administrator ~~of administrative services~~ may
31 purchase items from the department of administrative services
32 and may cooperate with the director of the department of
33 administrative services by providing purchasing services for
34 the department of administrative services.

35 Sec. 17. Section 307.22, Code 2014, is amended to read as



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1 follows:

2 **307.22 Planning and ~~research~~ programming activities.**

3 1. The department's administrator ~~of~~ responsible for
4 transportation planning and ~~research~~ infrastructure program
5 development shall:

6 *a.* Assist the director in planning all modes of
7 transportation in order to develop an integrated transportation
8 system providing adequate transportation services for all
9 citizens of the state.

10 *b.* Develop and maintain transportation statistical data for
11 the department.

12 *c.* Assist the director in establishing, analyzing, and
13 evaluating alternative transportation policies for the state.

14 *d.* Coordinate planning ~~and research~~ duties and
15 responsibilities with the planning functions carried on by
16 other administrators of the department.

17 *e.* (1) Annually report by July 1 of each year, for both
18 secondary and farm-to-market systems, the miles of earth,
19 granular, and paved surface roads; the daily vehicle miles
20 of travel; and the lineal feet of bridge deck under the
21 jurisdiction of each county's secondary road department, as
22 of the preceding January 1, taking into account roads whose
23 jurisdiction has been transferred from the department to a
24 county or from a county to the department during the previous
25 year. The annual report shall include those roads transferred
26 to a county pursuant to section 306.8A.

27 (2) Miles of secondary and farm-to-market roads shall not
28 include those miles of farm-to-market extensions within cities
29 under five hundred population that are placed under county
30 secondary road jurisdiction pursuant to section 306.4.

31 (3) The annual report of updated road and bridge data of
32 both the secondary and farm-to-market roads shall be submitted
33 to the Iowa county engineers association service bureau.

34 *f.* Advise and assist the director in the study and
35 development of highway transport economics to assure



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1 availability and productivity of highway transport services.

2 ~~f.~~ g. Perform such other planning functions as may be
3 assigned by the director.

4 2. The functions of planning and ~~research~~ infrastructure
5 program development do not include the detailed design
6 of highways or other modal transportation facilities, but
7 are restricted to the needs of this state for multimodal
8 transportation systems.

9 Sec. 18. Section 307.24, Code 2014, is amended to read as
10 follows:

11 **307.24 Administration of ~~highways~~ highway programs and**
12 **activities.**

13 The department's administrator ~~of highways~~ is responsible
14 for ~~the planning, design, construction, and maintenance of~~
15 highway programs and activities shall plan, design, construct,
16 and maintain the state primary highways and ~~shall~~ administer
17 chapters 306 ~~to~~ through 306C, chapters 309 through 314,
18 chapters 316 through 318, and chapter 320 and perform other
19 duties as assigned by the director. The ~~administration of~~
20 highways department shall be:

21 1. Be organized to provide administration assistance for
22 urban systems, ~~for~~ and secondary roads, and provide other
23 categories of administration assistance as necessary.

24 2. Devise and adopt standard plans of highway construction
25 and furnish the same to the counties and provide information
26 to the counties on the maintenance practices and policies of
27 the department.

28 3. Order the removal or alteration of any lights or
29 light-reflecting devices, whether on public or private
30 property, other than railroad signals or crossing lights,
31 located adjacent to a primary road and within three hundred
32 feet of a railroad crossing at grade, which in any way
33 interfere with the vision of or may be confusing to a person
34 operating a motor vehicle on such primary road in observing
35 the approach of trains or in observing signs erected for the



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- 1 purpose of giving warning of such railroad crossing.
2 4. Order the removal or alteration of any lights or
3 light-reflecting devices, whether on public or private
4 property, located adjacent to a primary road and within
5 three hundred feet of an intersection with another primary
6 road, which in any way interfere with the vision of or may be
7 confusing to a person operating a motor vehicle on such primary
8 road in observing the approach of other vehicles or signs
9 erected for the purpose of giving warning of such intersection.
10 5. Construct, reconstruct, improve, and maintain state
11 institutional roads and state park roads which are part of the
12 state park, state institution, and other state land road system
13 as defined in section 306.3, and bridges on such roads, roads
14 located on the state fairgrounds as described in chapter 173,
15 and the roads and bridges located on community college property
16 as described in chapter 260C, upon the request of the state
17 board, department, or commission which has jurisdiction over
18 such roads. Such construction, reconstruction, improvement,
19 or maintenance shall be done in such manner as may be agreed
20 upon by the state transportation commission and the state
21 board, department, or commission which has jurisdiction. The
22 commission may contract with any county or municipality for
23 the construction, reconstruction, improvement, or maintenance
24 of such roads and bridges. Any state park road which is an
25 extension of either a primary or secondary highway which both
26 enters and exits from a state park at separate points shall
27 be constructed, reconstructed, improved, and maintained as
28 provided in section 306.4. Funds allocated from the road
29 use tax fund for the purposes of this subsection shall be
30 apportioned in the following manner and amounts:
31 a. For department of natural resources facility roads,
32 forty-five and one-half percent.
33 b. For department of human services facility roads, six and
34 one-half percent.
35 c. For department of corrections facility roads, five and



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1 one-half percent.

2 d. For national guard facility roads, four percent.

3 e. For state board of regents facility roads, thirty
4 percent.

5 f. For state fair board facility roads, two percent.

6 g. For department of administrative services facility roads,
7 one-half percent.

8 h. For department of education facility roads, six percent.

9 Sec. 19. Section 307.26, Code 2014, is amended to read as
10 follows:

11 307.26 Rail and water Administration of modal programs and
12 activities.

13 The department's administrator responsible for rail and
14 water modal programs and activities shall:

15 1. Advise and assist the director in conducting research
16 on the basic railroad problems and identify the present
17 capability of the existing railroads in order to determine
18 the present obligation of the railroads to provide acceptable
19 levels of public service. Advise and assist the director
20 in the development of aeronautics including but not limited
21 to the location of air terminals, accessibility of air
22 terminals by other modes of public transportation, protective
23 zoning provisions considering safety factors, noise, and air
24 pollution, facilities for private and commercial aircraft,
25 air freight facilities, and such other physical and technical
26 aspects as may be necessary to meet present and future needs.

27 2. Advise and assist the director in the study of local
28 and regional transportation of goods and people including
29 intracity and intercity bus systems, dial-a-bus facilities,
30 rural and urban bus and taxi systems, the collection of data
31 from these systems, a feasibility study of increased government
32 subsidy assistance and determination of the allocation of such
33 subsidies to each mass transportation system, and such other
34 physical and technical aspects as may be necessary to meet
35 present and future needs, and apply for, accept, and expend

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1 federal, state, or private funds for the improvement of mass
2 transit.
3 ~~2.~~ 3. Advise and assist the director in the development
4 of ~~rail~~ transportation systems and programs for ~~expansion of~~
5 improving passenger and freight services.
6 ~~3.~~ 4. Advise and assist the director in developing programs
7 in anticipation of railroad abandonment, including:
8 a. Development and evaluation of programs which will
9 encourage improvement of rail freight and the upgrading of rail
10 lines in order to improve freight service.
11 ~~b.~~ ~~Development of alternative modes of transportation to~~
12 ~~areas and communities which lose rail service.~~
13 ~~c.~~ b. Advise Advising the director when it may appear in
14 the best interest of the state to assume the role of advocate
15 in railroad abandonments and railroad rate schedules.
16 ~~4.~~ 5. Develop and maintain a federal-state relationship
17 of programs relating to railroad safety enforcement, track
18 standards, rail equipment, operating rules, and transportation
19 of hazardous materials.
20 6. Make surveys, plans, and estimates of cost for the
21 elimination of danger at railroad crossings on highways, and
22 confer with local and railroad officials with reference to
23 elimination of the danger.
24 ~~5.~~ 7. Advise and assist the director in the conduct of
25 research on railroad-highway grade crossings and encourage
26 and develop a safety program in order to reduce injuries or
27 fatalities including, but not limited to, the following:
28 ~~a.~~ ~~The implementation of a program of constructing rumble~~
29 ~~strips at grade crossings on selected hard surface roads.~~
30 ~~b.~~ a. The establishment of standards for warning devices
31 for particularly hazardous crossings or for classes of
32 crossings on highways, which standards are shall be designed
33 to reduce injuries, fatalities, and property damage. Such
34 standards shall regulate the use of warning devices and
35 signs, which shall be in addition to the requirements of

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1 section 327G.2. Implementation of such standards shall be
2 the responsibility of the government agency, ~~or~~ department,
3 or political subdivision having jurisdiction and control of
4 the highway and such implementation shall be deemed adequate
5 for the purposes of railroad grade crossing protection. The
6 department, or the political subdivision having jurisdiction,
7 may direct the installation of temporary protection while
8 awaiting installation of permanent protection. A railroad
9 crossing shall not be found to be particularly hazardous for
10 any purpose unless the department has determined it to be
11 particularly hazardous.

12 ~~e.~~ b. The development and adoption of classifications of
13 crossings on public highways based upon their characteristics,
14 conditions, and hazards, and standards for warning devices,
15 signals, and signs of each crossing classification. The
16 department shall recommend a schedule for implementation
17 of the standards to the government agency, department, or
18 political subdivision having jurisdiction of the highway and
19 shall provide an annual report to the general assembly on the
20 development and adoption of classifications and standards under
21 this paragraph and their implementation, including information
22 about financing installation of warning devices, signals, and
23 signs. The department shall not be liable for the development
24 or adoption of the classifications or standards. A government
25 agency, department, or political subdivision shall not be
26 liable for failure to implement the standards. A crossing
27 warning or improvement installed or maintained pursuant to
28 standards adopted by the department under this paragraph "b"
29 shall be deemed an adequate and appropriate warning for the
30 crossing.

31 ~~6. Apply for, accept, and expend federal, state or private~~
32 ~~funds for the improvement of rail transportation.~~

33 ~~7.~~ 8. Advise and assist the director ~~on studies for to~~
34 assure availability, efficiency, and productivity of freight
35 and passenger services and to promote the coordination of

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1 ~~railway~~ service with that of other between all transportation
2 modes.

3 ~~8.~~ 9. Advise and assist the director with studies of
4 regulatory changes deemed necessary to effectuate economical
5 and efficient railroad service.

6 ~~9.~~ 10. Advise and assist the director regarding agreements
7 with railroad corporations for the restoration, conservation,
8 or improvement of railroad as defined in section 327D.2,
9 subsection 3, on such terms, conditions, rates, rentals, or
10 subsidy levels as may be in the best interest of the state.
11 The commission may enter into contracts and agreements which
12 are binding only to the extent that appropriations have been
13 or may subsequently be made by the legislature to effectuate
14 the purposes of this subsection.

15 ~~10.~~ 11. Administer chapters 324A, 327C through 327H, 327J,
16 328, 329, and 330.

17 12. Administer programs and activities in chapter
18 306D relating to scenic routes, chapter 307C relating to
19 the Missouri river barge compact, chapter 308 relating
20 to the Mississippi river parkway, chapter 308A relating
21 to recreational bikeways, and chapter 315 relating to the
22 revitalize Iowa's sound economy fund.

23 ~~11.~~ 13. Perform such other duties and responsibilities as
24 may be assigned by the director ~~and the commission.~~

25 ~~12.~~ ~~Advise and assist in the establishment and development~~
26 ~~of railroad districts upon request.~~

27 ~~13.~~ ~~Conduct innovative experimental programs relating to~~
28 ~~rail transportation problems within the state.~~

29 ~~14.~~ ~~Enter the role of "applicant" pursuant to the Railroad~~
30 ~~Revitalization and Regulatory Reform Act of 1976, Pub. L. No.~~
31 ~~94-210, and take such actions as are necessary to accomplish~~
32 ~~this role.~~

33 ~~15.~~ ~~Identify those segments of railroad trackage which, if~~
34 ~~improved, may provide increased transportation services for~~
35 ~~the citizens of this state. The department shall develop and~~

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~~1 implement programs to encourage the improvement of rail freight~~
~~2 services on such railroad trackage.~~

3 ~~16.~~ 14. Promote river transportation and coordinate river
4 programs with other transportation modes.

5 ~~17.~~ 15. Advise and assist the director in the development
6 of river transportation and port facilities in the state.

7 Sec. 20. Section 307.27, Code 2014, is amended to read as
8 follows:

9 **307.27 Motor vehicles, motor carriers, and drivers.**

10 The department's administrator responsible for the
11 enforcement and regulation of motor carriers, registration of
12 motor vehicles, and the licensing of drivers shall:

13 1. Administer and supervise the registration of motor
14 vehicles and the licensing of drivers pursuant to chapter 321.

15 2. Administer and supervise the licensing of motor vehicle
16 manufacturers, distributors, and dealers pursuant to chapter
17 322.

18 3. Administer the inspection of motor vehicles pursuant to
19 chapter 321.

20 4. Administer motor vehicle registration reciprocity
21 pursuant to chapter 326.

22 5. Administer the provisions of chapters 321A, 321E, 321F,
23 and 321J relating to motor vehicle financial responsibility,
24 the implied consent law, the movement of vehicles of excessive
25 size and weight, and the leasing and renting of vehicles.

26 6. Administer the regulation of motor vehicle franchisers
27 pursuant to chapter 322A.

28 7. Administer the regulation of motor carriers pursuant to
29 ~~chapter~~ chapters 325A, 326, and 327B.

30 8. Administer the registration of interstate authority
31 of motor carriers pursuant to chapter 327B as provided in 49
32 U.S.C. § 14504a and United States department of transportation
33 regulations.

34 9. Administer chapter 321C relating to interstate drivers
35 license compacts; chapter 321D relating to vehicle equipment

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1 compacts; chapter 321H relating to vehicle recyclers; chapter
2 321L relating to parking for persons with disabilities; chapter
3 321M relating to county issuance of driver's licenses; and
4 chapter 322C relating to travel trailer dealers, manufacturers,
5 and distributors.

6 Sec. 21. Section 307.45, Code 2014, is amended to read as
7 follows:

8 **307.45 State-owned lands — assessment.**

9 1. Cities and counties may assess the cost of a public
10 improvement against the state when the improvement benefits
11 property owned by the state and under the jurisdiction
12 and control of the ~~department's administrator of highways~~
13 department. The director shall pay from the primary road fund
14 the portion of the cost of the improvement which would be
15 legally assessable against the land if privately owned.

16 2. Assessments against property under the jurisdiction of
17 the ~~department's administrator of highways~~ department shall be
18 made in the same manner as those made against private property,
19 except that the city or county making the assessment shall
20 cause a copy of the public notice of hearing to be mailed to the
21 director by certified mail.

22 3. Assessments against property owned by the state and
23 not under the jurisdiction and control of the ~~department's~~
24 ~~administrator of highways~~ department shall be made in the same
25 manner as those made against private property, and payment
26 shall be subject to authorization by the executive council.
27 There is appropriated from moneys in the general fund not
28 otherwise appropriated an amount necessary to pay the expense
29 authorized by the executive council.

30 Sec. 22. Section 307.47, subsections 1, 2, and 3, Code 2014,
31 are amended to read as follows:

32 1. The highway materials and equipment revolving fund
33 is created from moneys appropriated out of the primary road
34 fund. From this fund shall be paid all costs for materials
35 and supplies, inventoried stock supplies, maintenance and

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1 operational costs of equipment, and equipment replacements
2 incurred in the operation of centralized purchasing under the
3 supervision of the ~~department's administrator of highways~~
4 administrator responsible for highway programs and activities.
5 Direct salaries and expenses properly chargeable to direct
6 salaries shall be paid from the fund. For each month, the
7 ~~director~~ administrator responsible for the operations and
8 finances of the department shall render a statement to each
9 highway unit under the supervision of the administrator
10 of highways for the actual cost of materials and supplies,
11 operational and maintenance costs of equipment, and equipment
12 depreciation used. The expense shall be paid by the
13 ~~administrator of highways~~ responsible for the operations
14 and finances of the department in the same manner as other
15 interdepartmental billings are paid, and ~~when the expense is~~
16 ~~paid by the administrator of highways,~~ the sum paid shall be
17 credited to the highway materials and equipment revolving fund.
18 2. If surplus accrues to the revolving fund in excess of
19 one hundred thousand dollars for which there is no anticipated
20 need or use, the governor shall order that surplus reverted to
21 the primary road fund.
22 3. When ~~the highway units under the supervision of~~
23 ~~the administrator of highways~~ share equipment with other
24 administrative units of the department, the director shall
25 prorate the costs of the equipment among the administrative
26 units using the equipment.
27 Sec. 23. REPEAL. Sections 307.3, 307.4, 307.5, 307.6,
28 307.7, 307.9, 307.10, 307.25, 307.35, and 307.43, Code 2014,
29 are repealed.

30 STATE TRANSPORTATION COMMISSION

31 Sec. 24. NEW SECTION. 307A.1A Transportation commission.

32 1. There is created a state transportation commission which
33 shall consist of seven members, not more than four of whom
34 shall be from the same political party. The governor shall
35 appoint the members of the commission for a term of four years

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1 beginning and ending as provided by section 69.19, subject to
2 confirmation by the senate.

3 2. The commission shall meet in May of each year for the
4 purpose of electing one of its members as chairperson.

5 Sec. 25. Section 307A.2, Code 2014, is amended to read as
6 follows:

7 **307A.2 Duties.**

8 ~~Said~~ The commission shall:

9 1. ~~Devise and adopt standard plans of highway construction~~
10 ~~and furnish the same to the counties and provide information~~
11 ~~to the counties on the maintenance practices and policies of~~
12 ~~the department.~~ Develop, coordinate, and annually update a
13 comprehensive transportation policy and plan for the state.

14 2. ~~Furnish information and instruction to, answer inquiries~~
15 ~~of, and advise with, highway officers on matters of highway~~
16 ~~construction and maintenance and the reasonable cost thereof.~~
17 Promote the coordinated and efficient use of all available
18 modes of transportation for the benefit of the state and
19 its citizens including but not limited to the designation
20 and development of multimodal public transfer facilities if
21 carriers or other private businesses fail to develop such
22 facilities.

23 3. ~~Reserved.~~

24 4. ~~Make surveys, plans, and estimates of cost, for the~~
25 ~~elimination of danger at railroad crossings on highways, and~~
26 ~~confer with local and railroad officials with reference to~~
27 ~~elimination of the danger.~~

28 5. ~~Assist the board of supervisors and the department~~
29 ~~general counsel in the defense of suits wherein infringement of~~
30 ~~patents, relative to highway construction, is alleged.~~

31 6. ~~Make surveys for the improvement of highways upon or~~
32 ~~adjacent to state property when requested by the board or~~
33 ~~department in control of said lands.~~

34 7. ~~Record all important operations of said commission and,~~
35 ~~at the time provided by law, report the same to the governor.~~

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- 1 ~~8.—Incur no expense to the state by sending out road~~
2 ~~lecturers.~~
- 3 ~~9.—Order the removal or alteration of any lights or~~
4 ~~light-reflecting devices, whether on public or private~~
5 ~~property, other than railroad signals or crossing lights,~~
6 ~~located adjacent to a primary road and within three hundred~~
7 ~~feet of a railroad crossing at grade, which in any way~~
8 ~~interfere with the vision of or may be confusing to a person~~
9 ~~operating a motor vehicle on such highway in observing the~~
10 ~~approach of trains or in observing signs erected for the~~
11 ~~purpose of giving warning of such railroad crossing.~~
- 12 ~~10.—Order the removal or alteration of any lights or~~
13 ~~light-reflecting devices, whether on public or private~~
14 ~~property, located adjacent to a primary road and within~~
15 ~~three hundred feet of an intersection with another primary~~
16 ~~road, which in any way interfere with the vision of or may be~~
17 ~~confusing to a person operating a motor vehicle on such highway~~
18 ~~in observing the approach of other vehicles or signs erected~~
19 ~~for the purpose of giving warning of such intersection.~~
- 20 ~~11.—Construct, reconstruct, improve, and maintain state~~
21 ~~institutional roads and state park roads, which are part of~~
22 ~~the state park, state institution, and other state land road~~
23 ~~system as defined in section 306.3, and bridges on such roads,~~
24 ~~roads located on state fairgrounds as defined in chapter 173,~~
25 ~~and the roads and bridges located on community college property~~
26 ~~as defined in chapter 260C, upon the request of the state~~
27 ~~board, department, or commission which has jurisdiction over~~
28 ~~such roads. This shall be done in such manner as may be agreed~~
29 ~~upon by the state transportation commission and the state~~
30 ~~board, department, or commission which has jurisdiction. The~~
31 ~~commission may contract with any county or municipality for~~
32 ~~the construction, reconstruction, improvement, or maintenance~~
33 ~~of such roads and bridges. Any state park road which is an~~
34 ~~extension of either a primary or secondary highway which both~~
35 ~~enters and exits from a state park at separate points shall~~

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1 ~~be constructed, reconstructed, improved, and maintained as~~
2 ~~provided in section 306.4. Funds allocated from the road~~
3 ~~use tax fund for the purposes of this subsection shall be~~
4 ~~apportioned in the following manner and amounts:~~
5 ~~a. For department of natural resources facility roads,~~
6 ~~forty-five and one-half percent.~~
7 ~~b. For department of human services facility roads, six and~~
8 ~~one-half percent.~~
9 ~~c. For department of corrections facility roads, five and~~
10 ~~one-half percent.~~
11 ~~d. For national guard facility roads, four percent.~~
12 ~~e. For state board of regents facility roads, thirty~~
13 ~~percent.~~
14 ~~f. For state fair board facility roads, two percent.~~
15 ~~g. For department of administrative services facility roads,~~
16 ~~one-half percent.~~
17 ~~h. For department of education facility roads, six percent.~~
18 ~~12.~~ 3. Prepare, adopt, and cause to be published a
19 long-range program for the primary road system, in conjunction
20 with the state transportation plan adopted by the commission.
21 Such program shall be prepared for a period of at least five
22 years and shall be revised, brought up-to-date, and republished
23 at least once every year in order to have a continuing
24 five-year program. The program shall include, insofar as such
25 estimates can be made, an estimate of the money expected to
26 become available during the period covered by the program and
27 a statement of the construction, maintenance, and other work
28 planned to be performed during such period. The commission
29 shall conduct periodic reinspections of the primary roads in
30 order to revise, from time to time, its estimates of future
31 needs to conform to the physical and service conditions
32 of the primary roads. ~~The commission shall annually cause~~
33 ~~to be published a sufficiency rating report showing the~~
34 ~~relative conditions of the primary roads.~~ Before the last
35 day of December of each year, the commission shall adopt and

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1 cause to be published from its long-range program, a plan of
2 improvements to be accomplished during the next calendar year.
3 However, in years when the federal government is reauthorizing
4 federal highway funding, the commission shall not be required
5 to adopt and publish the annual plan of improvements to be
6 accomplished until at least ninety days from the enactment
7 of the new federal funding formula. This annual program
8 shall list definite projects in order of urgency and shall
9 include a reasonable year's work with the funds estimated to
10 be available. The annual program shall be final and followed
11 by the commission in the next year except that deviations may
12 be made in case of disaster or other unforeseen emergencies
13 or difficulties. The relative urgency of the proposed
14 improvements shall be determined by a consideration of the
15 physical condition, safety, and service characteristics of the
16 various primary roads.

17 ~~13.~~ 4. The criteria used by the commission for allocating
18 funds as a result of any long-range planning process shall be
19 adopted in accordance with the provisions of chapter 17A. The
20 commission shall adopt such rules and regulations in accordance
21 with the provisions of chapter 17A as it may deem necessary to
22 transact its business and for the administration and exercise
23 of its powers and duties.

24 ~~14.~~ 5. Identify, within the primary road system, a network
25 of commercial and industrial highways in accordance with
26 section 313.2A. The improvement of this network shall be
27 considered in the development of the long-range program and
28 plan of improvements under this section.

29 6. Approve all rules prior to their adoption by the director
30 pursuant to section 307.12, subsection 1, paragraph "j".

31 Sec. 26. NEW SECTION. 307A.3 Conflict of interest.

32 A person shall not serve as a member of the commission who
33 has an interest in a contract or job of work or material or the
34 profits thereof or service to be performed for the department.
35 Any member of the commission who accepts employment with or

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1 acquires any stock, bonds, or other interest in any company
2 or corporation doing business with the department shall be
3 disqualified from remaining a member of the commission.

4 Sec. 27. NEW SECTION. 307A.4 Vacancies on commission.

5 1. Any vacancy in the membership of the commission shall be
6 filled in the same manner as regular appointments are made for
7 the unexpired portion of the regular term.

8 2. In the event the governor fails to make an appointment
9 to fill a vacancy or fails to submit the appointment to the
10 senate for confirmation as required by section 2.32, the senate
11 may make the appointment prior to adjournment of the general
12 assembly.

13 Sec. 28. NEW SECTION. 307A.5 Compensation — commission
14 members.

15 Each member of the commission shall be compensated as
16 provided in section 7E.6.

17 Sec. 29. NEW SECTION. 307A.6 Commission meetings.

18 The commission shall meet at the call of the chairperson or
19 when any four members of the commission file a written request
20 with the chairperson for a meeting. Written notice of the
21 time and place of each meeting shall be given to each member
22 of the commission. A majority of the commission members shall
23 constitute a quorum.

24 Sec. 30. NEW SECTION. 307A.7 Expenses.

25 Members of the commission shall be allowed their actual and
26 necessary expenses incurred in the performance of their duties.
27 All expenses and salaries shall be paid from appropriations for
28 such purposes.

29 Sec. 31. NEW SECTION. 307A.8 Removal from office.

30 Any member of the commission may be removed for any of
31 the causes and in the manner provided in chapter 66 and such
32 removal shall not be in lieu of any other punishment that may
33 be prescribed by the laws of this state.

34 CONFORMING AMENDMENTS

35 Sec. 32. Section 173.16, unnumbered paragraph 1, Code 2014,

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1 is amended to read as follows:

2 All expenses incurred in maintaining the state fairgrounds
3 and in conducting the annual fair on ~~it~~ the state fairgrounds,
4 including the compensation and expenses of the officers,
5 members, and employees of the board, shall be recorded by the
6 secretary and paid from the state fair receipts, unless a
7 specific appropriation has been provided for that purpose. The
8 board may request special capital improvement appropriations
9 from the state and may request emergency funding from the
10 executive council for natural disasters. The board may request
11 that the department of transportation provide maintenance in
12 accordance with section ~~307A.2~~ 307.24, subsection ~~11~~ 5.

13 Sec. 33. Section 312.2, subsection 2, unnumbered paragraph
14 1, Code 2014, is amended to read as follows:

15 The treasurer of state shall before making the allotments
16 in subsection 1 credit annually to the highway grade crossing
17 safety fund the sum of seven hundred thousand dollars, credit
18 annually from the road use tax fund the sum of nine hundred
19 thousand dollars to the highway railroad grade crossing surface
20 repair fund, credit monthly to the primary road fund the
21 dollars yielded from an allotment of sixty-five hundredths of
22 one percent of all road use tax funds for the express purpose
23 of carrying out ~~subsection 11 of section 307A.2~~, section
24 313.4, subsection 2, section 307.24, subsection 5, and section
25 307.45, and credit annually to the primary road fund the sum of
26 five hundred thousand dollars to be used for paying expenses
27 incurred by the state department of transportation other than
28 expenses incurred for extensions of primary roads in cities.
29 All unobligated funds provided by this subsection, except those
30 funds credited to the highway grade crossing safety fund, shall
31 at the end of each year revert to the road use tax fund. Funds
32 in the highway grade crossing safety fund shall not revert to
33 the road use tax fund except to the extent they exceed five
34 hundred thousand dollars at the end of any biennium. The cost
35 of each highway railroad grade crossing repair project shall be

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1 allocated in the following manner:

2 Sec. 34. Section 312.4, subsection 5, Code 2014, is amended
3 to read as follows:

4 5. The amount of the road use tax fund which has been
5 credited to carry out the provisions of ~~section 307A.2,~~
6 ~~subsection 11,~~ section 313.4, subsection 2, section 307.24,
7 subsection 5, and section 307.45.

8 Sec. 35. Section 313.4, subsection 2, Code 2014, is amended
9 to read as follows:

10 2. Such fund is also appropriated and shall be used for the
11 construction, reconstruction, improvement, and maintenance of
12 state institutional roads and state park roads and bridges on
13 such roads and roads and bridges on community college property
14 as provided in section ~~307A.2~~ 307.24, subsection ~~11~~ 5, for
15 restoration of secondary roads used as primary road detours and
16 for compensation of counties for such use, for restoration of
17 municipal streets so used and for compensation of cities for
18 such use, and for the payments required in section 307.45.

19 DIVISION III

20 MISCELLANEOUS PROVISIONS

21 Sec. 36. Section 321.50, subsection 5, Code 2014, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. *d.* For purposes of this subsection, a
24 security interest noted on an Iowa certificate of title and
25 appearing in the statewide computer system and the county's
26 records shall be presumed to be discharged upon presentation of
27 a valid certificate of title subsequently issued by a foreign
28 jurisdiction on which the security interest is no longer noted.

29 Sec. 37. Section 321.176A, subsection 1, Code 2014, is
30 amended to read as follows:

31 1. A farmer or a person working for a farmer while operating
32 ~~a commercial motor vehicle controlled by the farmer within one~~
33 ~~hundred fifty air miles of the farmer's farm to transport the~~
34 ~~farmer's own agricultural products, farm machinery, or farm~~
35 ~~supplies to or from the farm~~ covered farm vehicle as defined

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1 in the federal Moving Ahead for Progress in the 21st Century
2 Act, Pub. L. No. 112-141, §32934. The exemption provided in
3 this subsection shall apply to farmers who assist each other
4 through an exchange of services and shall include operation of
5 a commercial motor vehicle between the farms of the farmers who
6 are exchanging services.

7 Sec. 38. Section 321.257, subsection 2, paragraphs g and h,
8 Code 2014, are amended to read as follows:

9 *g.* A "don't walk" or "steady upraised hand" light is a
10 pedestrian signal which means that pedestrian traffic facing
11 the illuminated pedestrian signal shall not start to cross
12 the roadway in the direction of the pedestrian signal, and
13 pedestrian traffic in the crossing shall proceed to a safety
14 zone.

15 *h.* A "walk" or "walking person" light is a pedestrian signal
16 which means that pedestrian traffic facing the illuminated
17 pedestrian signal may proceed to cross the roadway in the
18 direction of the pedestrian signal and shall be given the
19 right-of-way by drivers of all vehicles.

20 Sec. 39. Section 321.257, subsection 2, Code 2014, is
21 amended by adding the following new paragraphs:

22 NEW PARAGRAPH. *0g.* A "flashing yellow arrow" light shown
23 alone or with another official traffic-control signal means
24 vehicular traffic may cautiously enter the intersection
25 and proceed only in the direction indicated by the arrow.
26 Vehicular traffic shall yield the right-of-way to other
27 vehicles and pedestrians lawfully within the intersection and
28 any vehicle on the opposing approach which is approaching so
29 closely as to constitute an immediate hazard during the time
30 the driver is moving within the intersection.

31 NEW PARAGRAPH. *0h.* A "flashing upraised hand" or "upraised
32 hand with countdown" light is a pedestrian signal which means
33 that pedestrian traffic facing the illuminated pedestrian
34 signal shall not start to cross the roadway in the direction of
35 the pedestrian signal, and pedestrian traffic in the crossing

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1 shall proceed to a safety zone. The *"upraised hand with
2 countdown"* light is a pedestrian signal that also provides the
3 time remaining for the pedestrian to complete the crossing.

4 Sec. 40. Section 328.24, unnumbered paragraph 1, Code 2014,
5 is amended to read as follows:

6 If, during the year for which an aircraft, except
7 nonresident aircraft used for the application of herbicides
8 and pesticides, was registered and the required fee paid, the
9 aircraft is destroyed by fire or accident or junked, and its
10 identity as an aircraft entirely eliminated, or ~~it~~ the aircraft
11 is removed and continuously used beyond the boundaries of the
12 state, then the owner in whose name it was registered at the
13 time of destruction, dismantling, or removal from the state
14 shall return the certificate of registration to the department
15 within ~~ten~~ thirty days and make affidavit of the destruction,
16 dismantling, or removal and make claim for the refund. The
17 refund shall be paid from the general fund of the state.

18 Sec. 41. 2012 Iowa Acts, chapter 1129, section 4, is amended
19 to read as follows:

20 SEC. 4. ROAD USE TAX FUND EFFICIENCY MEASURES —
21 QUARTERLY REPORTS. The department of transportation shall
22 submit quarterly reports in an electronic format to the
23 co-chairpersons of the joint appropriations subcommittee on
24 transportation, infrastructure, and capitals, the chairpersons
25 of the senate and house standing committees on transportation,
26 the department of management, and the legislative services
27 agency regarding the implementation of efficiency measures
28 identified in the "Road Use Tax Fund Efficiency Report",
29 January 2012. The reports shall provide details of activities
30 undertaken in the previous quarter relating to one-time and
31 long-term program efficiencies and partnership efficiencies.
32 Issues to be covered in the reports shall include but are
33 not limited to savings realized from the implementation of
34 particular efficiency measures; updates concerning measures
35 that have not been implemented; efforts involving cities,

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1 counties, other jurisdictions, or stakeholder interest groups;
2 any new efficiency measures identified or undertaken; and
3 identification of any legislative action that may be required
4 to achieve efficiencies. The first report shall be submitted
5 by October 1, 2012. The final report shall be submitted by
6 October 1, 2014.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill contains provisions relating to matters under the
11 purview of the department of transportation (DOT).

12 DIVISION I — HIGHWAYS. Under current law, the DOT has
13 the responsibility for regulating junkyards along interstate
14 highways. This bill extends the scope of that responsibility
15 to include all highways on the national highway system. The
16 "national highway system" is designated by the federal highway
17 administration in consultation with the DOT and consists of
18 certain interconnected urban and rural principal arterials and
19 highways.

20 The bill prohibits the establishment, operation, or
21 maintenance of a junkyard within 1,000 feet of the nearest
22 edge of the right-of-way of any highway on the national
23 highway system unless the junkyard is not visible from the
24 main-traveled portion of the highway or is screened from view;
25 is located within areas zoned for industrial use; or is located
26 in an unzoned industrial area defined by DOT regulations.
27 However, a junkyard in a zoned or unzoned industrial area
28 lawfully in existence on July 1, 2014, which is within 1,000
29 feet of the right-of-way and visible from the main-traveled
30 portion of the highway shall be screened, if feasible, by the
31 DOT or by the owner at the direction of the DOT.

32 Under current law, the DOT regulates billboards along
33 interstates and primary highways. The bill expands the scope
34 of that regulation by redefining "primary highways" to include
35 all highways on the national highway system and all highways

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1 on the federal-aid primary system as it existed on June 1,
2 1991. Certain restrictions on the placement of advertising
3 devices are amended to narrow the application to nonfreeway or
4 noninterstate primary highways.

5 DIVISION II — TRANSPORTATION DEPARTMENT AND COMMISSION.

6 DEPARTMENT OF TRANSPORTATION. Code chapter 307, which
7 establishes the DOT, is amended and reorganized to reflect the
8 current structure and responsibilities of the department and
9 its various divisions. In addition, provisions which relate
10 to the state transportation commission are repealed from Code
11 chapter 307 and moved into Code chapter 307A, which relates
12 more specifically to the commission.

13 STATE TRANSPORTATION COMMISSION. Code chapter 307A,
14 which currently contains some of the duties of the state
15 transportation commission, is amended to include provisions
16 establishing the commission and providing for its organization
17 and membership. In addition, certain provisions which relate
18 to duties actually performed by the department, and not the
19 commission, are repealed from Code chapter 307A and moved into
20 Code chapter 307.

21 CONFORMING AMENDMENTS. Code sections that currently refer
22 to provisions in Code chapters 307 and 307A are amended to
23 update references in conjunction with the changes to those Code
24 chapters by the bill.

25 DIVISION III — MISCELLANEOUS PROVISIONS. Code section
26 321.50 is amended to provide that when a security interest is
27 noted on an Iowa certificate of title and in the statewide
28 computer system and the county's records, it can be presumed
29 that the security interest has been discharged upon the
30 presentation of a valid certificate of title subsequently
31 issued by the foreign jurisdiction on which the security
32 interest is no longer noted.

33 The bill amends a provision in Code section 321.176A which
34 describes the exemption from commercial driver's license
35 requirements that applies to farmers and persons working for

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1 farmers. The bill states that the exemption applies to a
2 farmer or a person working for a farmer while operating a
3 covered farm vehicle as defined in the 2012 federal Moving
4 Ahead for Progress in the 21st Century Act, also known as
5 MAP-21, which authorizes surface transportation funding.
6 The bill amends Code section 321.257 to describe new colored
7 lights and lighted symbols used on official traffic-control
8 signals. The "steady upraised hand" light means the same as
9 the "don't walk" light, and the "walking person" light means
10 the same as the "walk" light. The "flashing upright hand" and
11 the "upraised hand with countdown" lights are now pedestrian
12 signals that indicate when to wait before crossing or proceed
13 to a safety zone, and the "upraised hand with countdown"
14 light also indicates the time remaining for the pedestrian to
15 complete the crossing. The "flashing yellow arrow" light means
16 vehicular traffic may cautiously enter the intersection and
17 proceed in the direction indicated by the arrow, but must yield
18 the right-of-way to other vehicles and pedestrians lawfully in
19 the intersection or approaching closely.
20 Under current law, when an aircraft that was registered
21 in this state is destroyed by fire or accident or junked and
22 its identity as an aircraft entirely eliminated, or when the
23 aircraft is removed from the state, the owner has 10 days in
24 which to return the certificate of title and claim a refund
25 of the registration fee. The bill extends the deadline to 30
26 days.
27 Pursuant to 2012 Acts, chapter 1129, section 4, the DOT
28 is currently required to submit quarterly reports regarding
29 the implementation of efficiency measures identified in the
30 "Road Use Tax Fund Efficiency Report", January 2012. The bill
31 requires submission of the final quarterly report by October 1,
32 2014, thereby ending the reporting requirement.